THE RETURN OF MOSCOW SHOW TRIALS

MASHA GESSEN

CLINTONISM IS MORE THAN COMPROMISE

ANDREI CHERNY

*Special Fiction Issue*

James Wood, Ruth Franklin, Deborah Friedell

# THE NEW REPUBLIC

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## TOM DELAY, JACK ABRAMOFF, AND BIG GOVERNMENT CONSERVATISM

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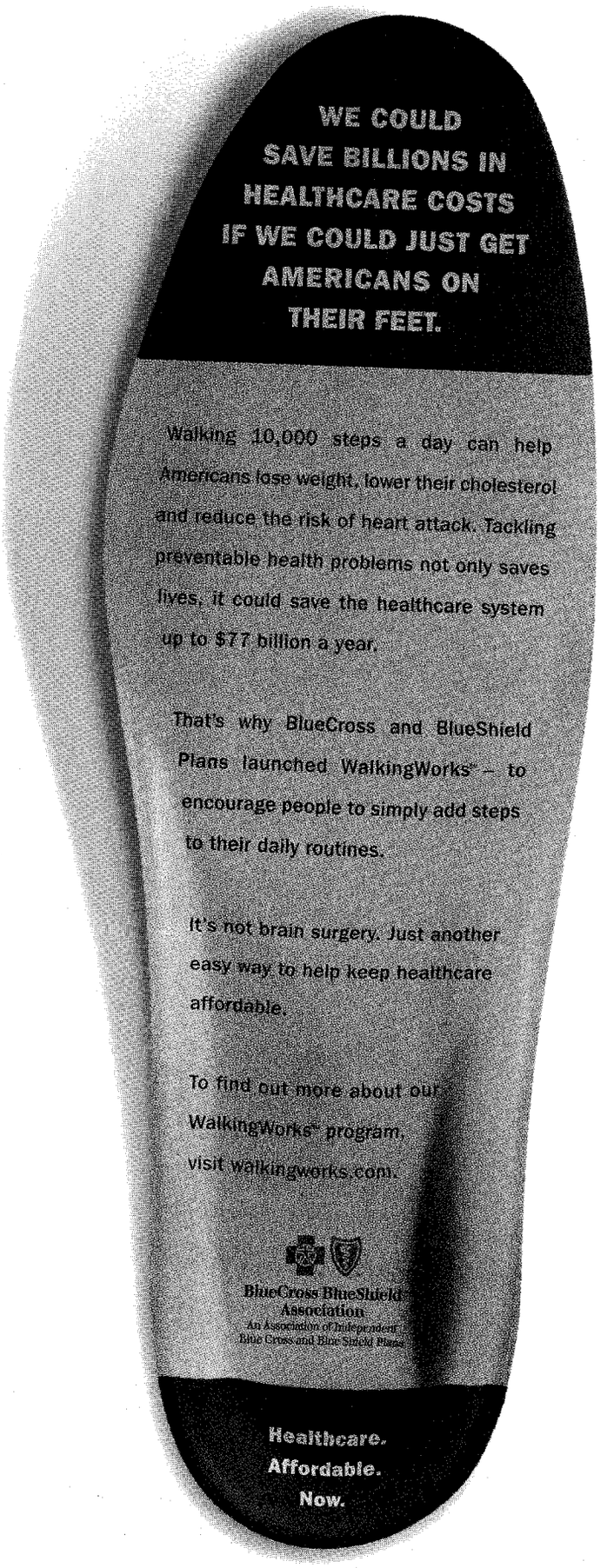
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THE NEW REPUBLIC
Updated daily. On the Web at www.tnr.com.

THE NEW REPUBLIC
A JOURNAL OF POLITICS AND THE ARTS

MAY 16, 2005 WASHINGTON, D.C. ISSUE 4,713 VOLUME 232

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# CORRESPONDENCE

## ICONOCLASH

JEFFREY ROSEN'S OTHERWISE COgent piece missed an important point: Leaving aside their Judeo-Christian heritage, there is no single agreed-upon version of the Ten Commandments, which means that any government-sponsored Commandments display amounts to government preference of some faiths over others ("Big Ten," March 14). If some religious bodies and leaders are so keen on seeing the Big Ten displayed, there is nothing to stop them from doing so on the interior and exterior walls of houses of worship and other private properties. Finally, too little notice is made of the 1796–1797 Washington/Adams treaty with Tripoli, ratified by the Senate, which states that "the government of the United States of America is not in any sense founded on the Christian religion."

**EDD DOERR**
***President***
***Americans for Religious Liberty***
***Silver Spring, Maryland***

ROSEN OVERLOOKS AN EASY SOLUtion to the controversy. The courts should allow the posting of an icon of the Ten Commandments—two tablets with, at most, the numbering from one to ten. No words. The public can project onto that symbol anything they want, and the religious right will have its statement that freedom comes from God (or whatever statement they see in the Commandments). The version now posted in Texas and Kentucky is arguably totally incorrect. It comes from Exodus 20. But Moses broke those tablets, according to the Bible. The true listing of the Ten Commandments is the second list, found at the end of Exodus 34. This version—the only one the Bible actually calls the "Ten Commandments"—prohibits Jews from marrying gentiles or signing any contracts (including business deals) with them, and outlines the major Jewish holidays to be observed. It also establishes the Biblical basis for the kosher requirement of separating meat and milk. A later editor, apparently unhappy with the particularism of the true Commandments, wrote a more universal (though still clearly ethnocentered) version and inserted it in Exodus 20 as if they were the original. But the original ones were lost! How could anyone have known what they said?

P.G. WODEHOUSE AND THE ART OF IMBECILITY
THE SUPREME COURT AND THE TEN COMMANDMENTS
THE NEW REPUBLIC
TRIAL BY FURY
HOW CNN'S NANCY GRACE HAS RUINED THE PRESUMPTION OF INNOCENCE
JASON ZENGERLE

Historians speak of two different kinds of sacred artifacts in a society—miranda, which have virtually no intellectual content (e.g., flags), and credenda, which have specific content, the meaning of which we argue over all the time (e.g., the Declaration of Independence, the Constitution, the Gettysburg Address). One can project one's own understanding of the United States onto the flag. It unites us even as we disagree over what it represents. But, with the Constitution, which also unites us, we have to work much harder to find common meaning, and then only through political debate that often fails us. Changing the Commandments from a credendum (that is, with a listing of commandments) into a mirandum (containing no words at all) detaches them from any specific religious heritage and enables them to serve as a symbol of the universal value of the sanctity of human life, which supporters of their posting wish to enshrine, even though few know what they actually say.

**RABBI JONATHAN GERARD**
***Easton, Pennsylvania***

ROSEN SEEMS TO ASSUME THAT THE Commandments are little more than an innocuous, generally accepted list of principles. Perhaps he has forgotten what the first three Commandments are: (I.) I am the Lord thy God; thou shalt have no other gods before me. (II.) Thou shalt not take the name of the Lord thy God in vain. (III.) Remember the Sabbath day, to keep it holy. If those statements constitute "minimal religious content," what, exactly, is a statement of faith? How do they not "discriminate among religions"? Almost half of the world's population, including some Americans (yes, an admittedly small minority), do not believe in "God" or celebrate the Sabbath. They are Hindus, Buddhists, Confucians, Taoists, Shintoists, agnostics, atheists, and adherents of a variety of animistic faiths.

What if, instead of the Ten Commandments, we were talking about the public display of Buddhism's Four Noble Truths (all is suffering, suffering is caused by desire, suffering can cease with elimination of desire, ending desire requires following the Eightfold Path) or Islam's Five Pillars of Faith (beginning with "There is no god but Allah and Mohammed is his Prophet")? I rather suspect that public acceptance for the enshrining of these doctrines in government buildings would not be overwhelming.

**D. DANIELLE**
***Berkeley, California***

## BULLSHIT COMPLAINTS

IS THERE ANY REASON WHY THE NEW REPUBLIC decided to print "bullshit" on the front cover of the March 21

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**THE NEW REPUBLIC** (ISSN 0028-6583), Vol. 232, Number 18, Issue 4,713, May 16, 2005. (Printed in the United States on May 5, 2005.) Published weekly (except for combined issues dated March 28 & April 4, May 2 & 9, June 6 & 13, July 11 & 18, August 22 & 29, November 28 & December 5, and December 26, 2005 through January 9, 2006) at 1331 H Street, NW, Washington, D.C. 20005. Telephone (202) 508-4444. For advertising inquiries, please contact Grant Loomis at (202) 508-4444 or our NY sales office at (212) 465-8447. Yearly subscriptions: $79.97; foreign, $119.97 (*U.S. funds*); Canada, $99.97 (*U.S. funds*). Back issues, $8.00 domestic and $10.00 foreign/Canada (includes postage & handling). © 2005 by The New Republic, LLC. Periodicals postage paid at Washington, D.C., and additional mailing offices. Rights and permissions: fax (202) 628-9383. Indexed in Readers' Guide, Media Review Digest. For hard copy *reprints*, call (202) 508-4444. *Microform, Canadian Periodical Index*, and CD-ROM are available through ProQuest, 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone (800) 521-0600. Postmaster: Send changes of address to The New Republic, P.O. Box 420235, Palm Coast, FL 32142-0235. Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a self-addressed, stamped envelope (e-mail address: letters@tnr.com). For subscription inquiries or problems call **(800) 827-1289** or visit our website at www.thenewrepublic.com.

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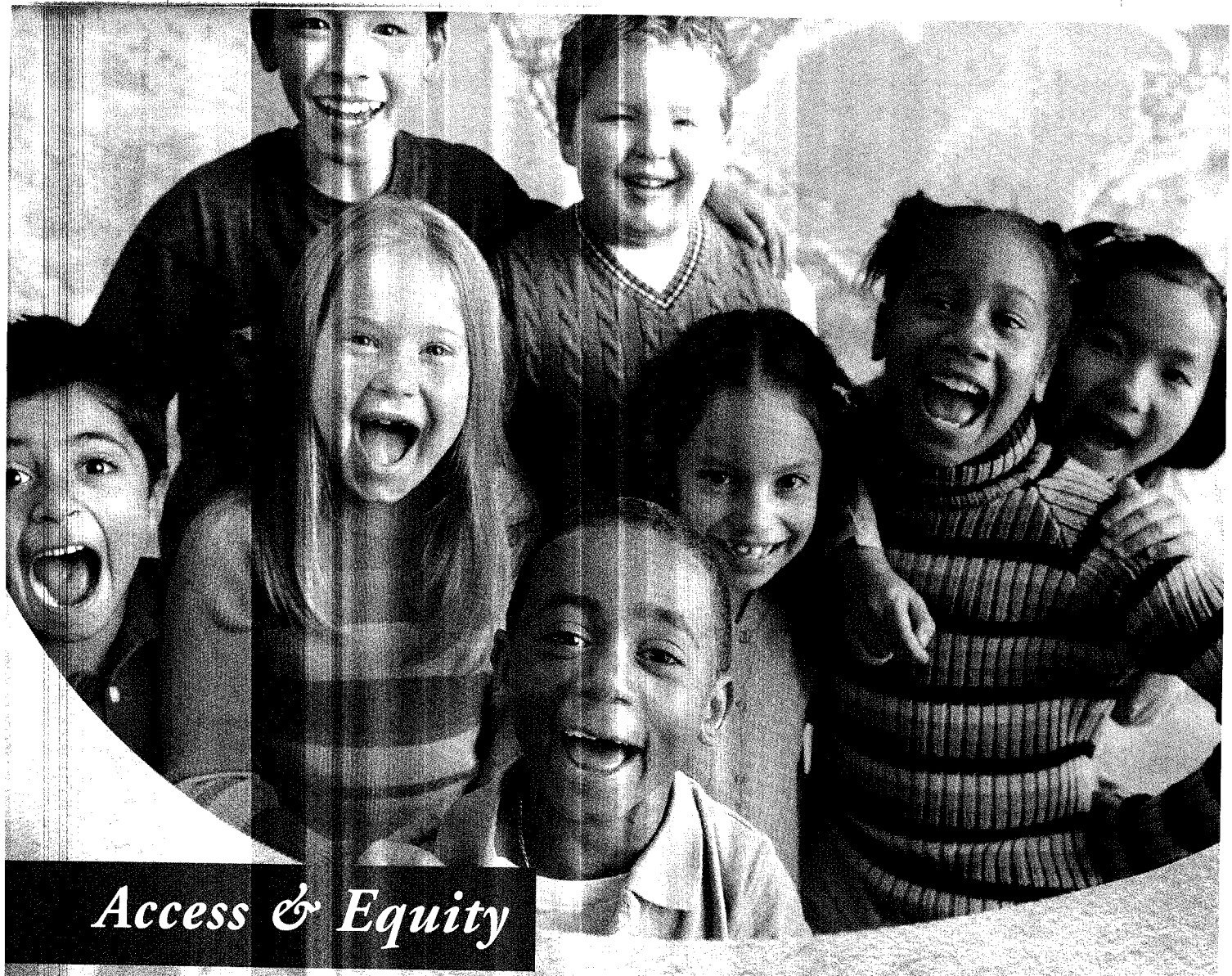

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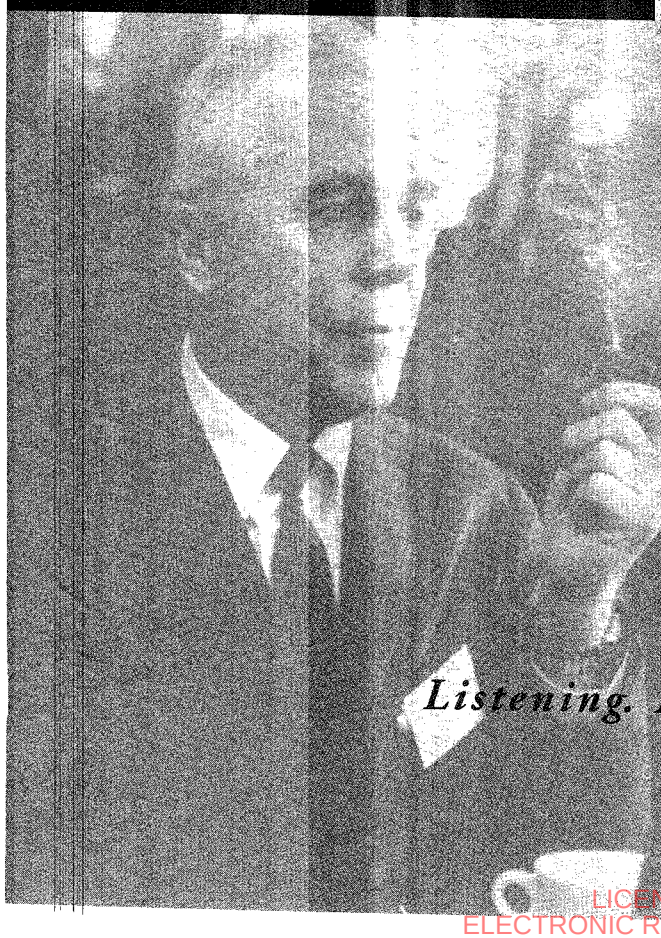

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# Standard Ruler

TRB
FROM WASHINGTON

THERE IS UNAPPRECIATED GENIUS in the words of Fernando Ferrer, the Democratic frontrunner in New York's mayoral primary. They don't pack the emotive punch of a Bill Clinton or the soaring brilliance of a Barack Obama. Ferrer's gift is actually a little lower-brow—for the snide one-liner of the sitcom trade. For example, when asked at a recent candidates' forum who he blamed for the shooting of Amadou Diallo, the Guinean immigrant gunned down in 1999 by four NYPD officers, Ferrer shot back, with impeccable timing, "You know, I'm not a lawyer." In another life, Ferrer might have landed a bit part on "The King of Queens."

I mention the Diallo murder because it has come to define Ferrer's once-promising campaign. The trouble began in March, shortly after the former Bronx borough president told a gathering of local police officers that, in his (nonlegal) opinion, the killing had not been a crime. For good measure, Ferrer added that "there was an attempt by many [during that period] ... to over-indict." This came as a shock to people in the civil rights community, who fondly remembered Ferrer agitating for an indictment of the policemen involved. It also came as a shock to Diallo's mother, who pronounced herself "surprised to hear he said that because [Ferrer] was among the people in the community who ... asked for justice for Amadou." For weeks, audiences dogged Ferrer with questions about the precise quantity of indictment he believed Diallo's executioners deserved. The local news media engaged in an endless, self-fulfilling debate over whether Ferrer's was a garden-variety faux pas or a truly disastrous gaffe—the kind that "confirm[s] people's worst fear about a candidate," as *The New York Times* put it. Ferrer's poll numbers plummeted. Last Friday, two top advisers quit.

I have nothing but sympathy for Amadou Diallo. But, tragic as his case may be, I find it troubling that no one has spoken up for the real victim in this episode: Fernando Ferrer. All his adult life, Ferrer has been playing by the same set of rules—that the way to succeed in politics is to behave like an unapologetic hack. Now that he's on the verge of his greatest success, voters and the press have decided unapologetic hackery isn't good enough. Suddenly they want "consistency." And "principle." And "character." Well, I say it's not fair. You don't cut Social Security benefits for people who are about to retire. You don't change frequent-flier incentives for people who've already earned their free trip to Hawaii. And you don't go revising the criteria for political leadership when a longtime pol like Ferrer is about to grab the brass ring.

Ferrer's outlook on politics is mostly a product of the Bronx political milieu in which he cut his teeth. Ferrer won a City Council seat in 1982, then rose through the local machine by putting his head down and waiting his turn. He didn't have to wait long. In 1987, a major corruption scandal brought down the mostly Jewish leadership of the Bronx Democratic Party. Ferrer inherited the borough presidency by virtue of being far enough from real power to avoid the taint of scandal. (It also didn't hurt that he was Latino.)

To the lesson of this formative experience, Ferrer's years as a borough boss added another: the idea that all politics is transactional. The Bronx, as New York historian Fred Siegel has pointed out, has no private-sector economy to speak of. More than half the area's adult population had actually dropped out of the labor force by the late '90s. Its only economic lifeblood was the range of jobs and social services doled out by the local political leadership, which relied on this arrangement to cement its power.

Ferrer put these two lessons to work in his 1997 run for mayor. Part one of the strategy was to be the guy who was not the other guys, just as he'd been in 1987. In this case, Ferrer noticed that two other likely primary candidates, Al Sharpton and Manhattan Borough President Ruth Messinger, hailed from the left of the political spectrum. He decided to become the candidate of moderates. Except that Ferrer's instinct wasn't to appeal to people's values so much as buy them off. Ferrer promptly shed his liberal positions on abortion and the death penalty without even bothering to, say, highlight his agonizing personal evolution on the issues, as a more skilled politician might have. On abortion, he more or less woke up one day and declared that "every time a mother hiccups, that's no reason to abort a child." Ferrer's campaign flamed out after a highly touted fund-raiser yielded little money but much footage of a half-empty ballroom, which the New York press obligingly replayed again and again in the days that followed.

A lesser man might have concluded that higher office wasn't in the cards. Ferrer concluded he had simply offered the wrong deal to the wrong people. By the time the 2001 campaign rolled around, Ferrer had recast himself as a champion of the "other New York"—which, he insisted, was an appeal to the city's economic underclass, but which sounded like an appeal to racial resentments. The reason we can't say for sure is that Ferrer didn't spend much time on the campaign hustings doing the hard work of demagoguery. At least not until he had devoted himself to lobbying other local bosses, like hospital workers' union chief Dennis Rivera and the race-baiting Sharpton. Ferrer was less a candidate than a quid pro quo masquerading as a candidate. And it very nearly worked. He took first place in the Democratic primary, with 35 percent of the vote, but lost narrowly in a subsequent runoff.

Still, the near miss made Ferrer the prohibitive favorite to win this year's Democratic nomination. His only hurdle was winning back the white Democrats who felt he had sandbagged the party's eventual 2001 nominee with his tepid support. As always, Ferrer's solution was to bargain for loyalty, not inspire it. To win over local whites, Ferrer pandered (à la Diallo) to police unions, which were known to harbor bitterness toward Mayor Michael Bloomberg.

It should have worked. "This is spring training for the World Series," waxed one of Ferrer's minions in an inadvertent voice mail message to a reporter. "Because, dollars to doughnuts, we'll be in the World Series." Everything in Ferrer's storied rise suggested he was right. To suddenly deny Ferrer his due would be a crime against ambitious ward heelers everywhere, a crime against mixed metaphors, a crime against a lovable sitcom type. Then again, who am I to over-indict?

**NOAM SCHEIBER**

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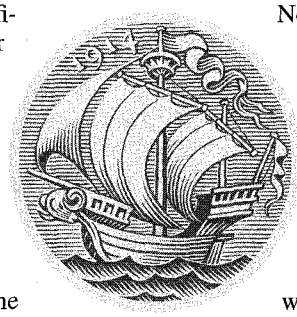
# Armed and ...

THE BUSH ADMINISTRATION has never been particularly fond of arms control treaties. In its first year alone, it scuttled a proposal to enforce the treaty banning biological weapons; watered down an agreement to keep rifles and pistols from Third World hotspots; dismissed the Comprehensive Test Ban Treaty, which outlaws nuclear explosions; and announced it would pull out of the Anti-Ballistic Missile Treaty so that it could push ahead with national missile defense. But there remained one agreement the administration wanted kept whole: the Nuclear Nonproliferation Treaty (NPT).

Signed in 1968, the NPT outlaws nuclear weapons for all but five of its signatories (the United States being one of the chosen few) and has been an undisputed boon for U.S. security. Despite a few high-profile outliers (India, Israel, and Pakistan), more nations (South Africa, Belarus, Kazakhstan, Ukraine) have given up existing nuclear weapons programs in the NPT's lifetime than have started them, and many others (Argentina, Brazil, South Korea, Libya) have shelved nuclear ambitions, in large part because the Treaty helps reassure signatories that their strategic rivals and neighbors won't get the bomb. As a result, the Kennedy-era fear of a world with dozens of nuclear powers has not come to pass.

But, at the United Nations this week, as a monthlong conference convened to review the NPT's implementation, it was the Treaty's impending failures—rather than its past successes—that focused the minds of the diplomats in attendance. The chief culprits are North Korea, which pulled out of the Treaty in January 2003 and recently declared itself a nuclear power, and Iran, which pursued a secret uranium-enrichment program that could produce fuel for nuclear weapons. The Bush administration sees the conference as a way to increase pressure on Iran and North Korea, and hopes the NPT's 186 other signatories will follow suit.

Unfortunately, they're unlikely to do so, and, ironically, the reason lies not with any dispute over Tehran's and Pyongyang's noncompliance, but with a dispute over Washington's. The NPT allowed the United States (and Great Britain, China, France, and Russia) to keep its nuclear weapons only if it agreed to disarm eventually. In 1995, the nuclear powers renewed their commitment to disarmament in return for the nonnuclear powers' agreement to extend the Treaty indefinitely; in 2000, the nuclear states, including the United States, actually agreed to concrete steps toward that objective.



To be sure, complete nuclear disarmament is unrealistic—and unwise—for the foreseeable future. But most of the steps outlined in 2000 were sensible. Unfortunately, the Bush administration has not only failed to comply with the steps, it has actively undermined them by reserving the right to test nuclear weapons, by undercutting attempts to ban the production of fissile material, and, most notably, by researching new low-yield and earth-penetrating nuclear weapons. Even the administration's signature nuclear agreement—the 2002 Moscow Treaty, which committed the United States and Russia to slash their deployed nuclear arsenals—seems suspect to many because it allows the parties to simply store warheads rather than destroy them.

Bush's recidivism is particularly frustrating because the war on terrorism—including nuclear terrorism—is not going to be won with our nuclear arsenal. Indeed, given the U.S. military's commitment in Iraq, some of our most important battles against nuclear terrorism will not be fought with force at all, but in meetings much like the ones now being held at Turtle Bay. This week, after all, the administration, U.N. Secretary-General Kofi Annan, and Mohamed ElBaradei, the head of the International Atomic Energy Agency, agreed that the NPT needs to be revamped to prevent states from abusing "peaceful" nuclear technology to get a leg up on a nuclear weapons program—that is, to prevent future Irans and North Koreas.

That's going to require give-and-take with friends and allies who seem almost as concerned with U.S. disarmament progress as with Iran's and North Korea's noncompliance. Alas, in an interview two weeks ago with the journal *Arms Control Today*, Stephen Rademaker, assistant secretary of state, said, "We are not approaching this review conference from the cynical perspective of, we are going to toss a few crumbs to the rest of the world, and, by doing that, try to buy goodwill or bribe countries into agreeing to the agenda that we think they should focus on rather than some other agenda." In other words, the administration won't engage in diplomacy even if it would get other states to see things our way. Which means it's quite certain they never will. ■

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# NOTEBOOK

## TOM AND NANCY, NOT THE SAME . . . KHARTOUM TRIES AN INTEL GAME

### NICE TRY

"EVERYBODY DOES IT." THAT'S THE emerging line among conservatives striving to make House Majority Leader Tom DeLay's career-threatening junkets seem like no big deal. Sure, congressional junketeering is an abuse of power that should be reined in. But, when it comes to Tom DeLay, this conservative argument—which is seeping into the news media's treatment of the story—is all trees and no forest.

Take the conservatives' attempt to draw equivalence between DeLay's overseas junkets and a 2001 trip House Democratic Leader Nancy Pelosi took to Puerto Rico. DeLay, you'll recall, took long trips to Great Britain and Russia with family and top aides, along with notorious superlobbyist Jack Abramoff (who is alleged to have paid for part of DeLay's travel to Britain, a potential violation of House ethics rules). Neither trip served any clear legislative purpose, but both included plenty of luxurious golfing.

Pelosi, according to a spokesperson, took a 48-hour trip to tour the U.S. Navy's bombing range on the island of Vieques. No lobbyist paid for it. (Although one member of Pelosi's delegation, Ohio Democrat Stephanie Tubbs Jones, originally reported that a lobbyist financed her travel, she has since produced proof that the trip was sponsored by a group opposed to the bombing range.) Not that DeLay's apologists have let this deter them. American Conservative Union Chairman David Keene told NPR on Monday that "Nancy Pelosi took a trip to Puerto Rico, which was also paid by a lobbyist." Well, no.

Republicans are also celebrating the news that House Democrats James Clyburn and Bennie Thompson visited the tropical Mariana Islands on Abramoff's dime. But, while Clyburn's and Thompson's trips appear to have been one-offs, DeLay's travels with Abramoff are indicative of the majority leader's intimate friendship with one of the most corrupt corporate lobbyists Washington has seen in decades; no Democrat was so close to Abramoff. Further, the purpose of DeLay's travels to Britain and Russia are murky at best. The Marianas, like Vieques, was at least a real issue in Congress at the time. Finally, Tom DeLay is among the most powerful men in Washington. It may have been tacky of Clyburn and Thompson to accept a trip from Abramoff. But his relationship with these minority party members probably had no real policy consequences. We're not the least bit confident that the same can be said of the DeLay-Abramoff axis. That's why "everybody does it" doesn't cut it.

*Nancy Pelosi*

### STICKS, STONES

WE AT *THE NEW REPUBLIC* WERE beginning to fret that the GOP was running low on heinous epithets for Democrats. Let's face it, they hadn't come up with anything really cutting since Newt Gingrich's famous bark that Dems are "the enemy of normal Americans." But then along came the majority staff of the House Judiciary Committee to allay our fears by tagging Democratic representatives as apologists for sexual predators.

Late last month, Republicans set out to finalize the Committee's report on a bill that would prohibit an adult from helping a pregnant minor to evade parental notification laws by crossing state lines for an abortion. The original draft drawn up by Democrats accurately detailed several failed amendments the minority party had proposed. When Republicans got their hands on it, though, they decided something was missing. Sure, that bureaucratic, procedural verbiage was true. But only a GOP rewrite could really make it sing. Thus, the deadly dull description of an amendment proposed by Democrat Jerrold Nadler as "allow[ing] an adult who could be prosecuted under the bill to go to a Federal district court and seek a waiver to the state's parental notice laws" was jettisoned. Its eloquent replacement? "Mr. Nadler offered an amendment that would have created an additional layer of Federal court review that could be used by sexual predators to escape conviction under the bill." Republicans provided similar amplification to other Democratic amendments, such as one that would have exempted grandparents and adult siblings from prosecution—or, in GOP terms, "that would have exempted sexual predators . . . if they were grandparents or siblings."

Despite their obvious alignment with sexual criminal types, 54 Democrats still voted for the bill, which passed by a comfortable 270 to 157. Missouri Democrat William Lacy Clay called his yea a sign of Democratic willingness to "start being flexible" about abortion. There's a name for people like that, too.

DAVID COWLES

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## WHAT'S A LITTLE GENOCIDE BETWEEN FRIENDS?

LAST WEEK, THE *LOS ANGELES TIMES* reported that Sudan—whose government is responsible for the death of as many as 400,000 people in its western province of Darfur—is dangling the prospect of increased intelligence ties in front of American officials to escape trade sanctions and international pressure. The Sudanese might have something to offer, given that, in the mid-'90s, they hosted not only Osama bin Laden, but a veritable terrorist hall of fame. But to treat the blood-soaked regime of Omar Hassan Ahmed Bashir as a serious interlocutor is to ignore history. After all, Bashir held out essentially the same cynical proposal to the Clinton White House.

So why is the Bush administration taking Khartoum at face value? During a visit to the Sudanese capital last month, Deputy Secretary of State Robert Zoellick stunned the world by refusing to repeat Colin Powell's forthright declaration that the killing in Darfur amounted to genocide. And, last week, as first reported by *The American Prospect*, the White House sent a letter to Congress instructing appropriators to strike the bipartisan Darfur Accountability Act from the $82 billion supplemental bill for Iraq and Afghanistan. The Act, which easily passed the Senate, tightens sanctions on Bashir, authorizes $90 million to aid African Union peacekeepers and humanitarian assistance efforts, imposes a no-fly zone over the ravaged region, and seeks to make the genocide priority number-one in U.S.-Sudanese relations. It's unconscionable that President Bush can entertain the overtures of the Sudanese genocidaires. Yet he shows every sign of buying the argument made by Bashir adviser Gutbi Al Mahdi, who told the *Times*, "There can be a strong [intelligence] partnership, but there is some hesitation because the diplomatic relationship remains poor." Well, yes—and it ought to stay that way so long as the dying continues in Darfur. ■

## TNR.commentary

### &c.

REIHAN SALAM

**WEIRDED OUT BY KRUGMAN:** Though I consider myself right-of-center, I've always had a soft spot for *New York Times* columnist Paul Krugman. He can be needlessly harsh, but he knows what the hell he's talking about. That's vanishingly rare. When it comes to fiscal policy, I trust just about any Clark Medalist (the American Economic Association's highest honor for an economist under 40) and THE NEW REPUBLIC's own Jonathan Chait before I trust anyone else. This is why—very sincerely—I was so weirded out by Krugman's column on May 2.

> Sure enough, a close look at President Bush's proposal for "progressive price indexing" of Social Security puts the lie to claims that it's a plan to increase benefits for the poor and cut them for the wealthy. In fact, it's a plan to slash middle-class benefits; the wealthy would barely feel a thing.
>
> Under current law, low-wage workers receive Social Security benefits equal to 49 percent of their wages before retirement. Under the Bush scheme, that wouldn't change. So benefits for the poor would be maintained, not increased.
>
> The administration and its apologists emphasize the fact that under the Bush plan, workers earning higher wages would face cuts, and they talk as if that makes it a plan that takes from the rich and gives to the poor. But the rich wouldn't feel any pain, because people with high incomes don't depend on Social Security benefits.
>
> Cut an average worker's benefits, and you're imposing real hardship. Cut or even eliminate Dick Cheney's benefits, and only his accountants will notice.

But is this a convincing case against "progressive price indexing"? It might suggest that benefit cuts for the middle class should be less steep, but is it really a problem that the rich won't feel the burn? All the more reason to slash their benefits through means-testing, no? It's a puzzling claim.

Krugman backs it up with a political argument: that undermining the universality of the Social Security program—i.e., turning it into a welfare program or safety net—will pave the way for gutting the program in the future by undermining the broad-based political support it currently enjoys. This is an important and plausible argument. And, in Krugman's view, that's the Bush administration's ultimate design.

> The important thing to understand is that the attempt to turn Social Security into nothing but a program for the poor isn't driven by concerns about the future budget burden of benefit payments. After all, if Mr. Bush was worried about the budget, he would be reconsidering his tax cuts.
>
> No, this is about ideology: Mr. Bush comes to bury Social Security, not to save it. His goal is to turn FDR's most durable achievement into an unpopular welfare program, so some future president will be able to attack it with tall tales about Social Security queens driving Cadillacs.

There is, however, an alternative hypothesis. Most observers agree that Social Security is faced with a long-term budgetary shortfall. Liberals tend to favor some sober combination of raising revenue by lifting the payroll cap or imposing a surtax on high earners and reducing expenditures by raising the retirement age. A few even favor some form of means-testing, like "progressive price indexing." Conservatives are all over the map, with quite a number favoring steep benefit cuts coupled with personal accounts carved out of payroll tax revenue.

Could it be that Bush is making a hasty retreat and that the call for "progressive price indexing"—a real departure for Bush, as Michael Kinsley noted in a recent *Washington Post* column—is a first step toward a compromise solution? Notice that Bush also altered the language he used to describe personal accounts in the press conference he held last week. "Voluntary personal savings accounts" might be a code word for add-on accounts, not carve-outs, designed to facilitate asset-building for lower-income Americans.

This is not to say such a proposal is the right way to go. I'm sympathetic, but there are a lot of kinks that need to be worked out. It's by no means clear that Democrats should play ball and compromise with the Republicans, particularly since they're doing very well on the offensive. But I do think it's faintly possible that Bush is (perhaps reluctantly) trying to do the right thing, if only to save face after blowing so much precious political capital.

My nitpicking aside, I'll admit that I like my Krugman columns angry. Right or wrong, that guy's got the op-ed fire and brimstone you can't help but love. If you put a piece of white bread over the column, it will, minutes later, be toasted to a perfect golden brown. That can't be said of many columns.

FORMER TNR REPORTER-RESEARCHER AND FREQUENT TNR ONLINE CONTRIBUTOR REIHAN SALAM IS CURRENTLY GUESTBLOGGING *&C.* READ MORE OF HIS POSTS AND OTHER TNR ONLINE CONTENT AT TNR.COM.

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## Clintonism isn't compromise.

# Obtuse Triangle

BY ANDREI CHERNY

TWO WEEKS AFTER Election Day 2004, Democratic Party bigwigs, world leaders, and celebrity-watchers from far and wide gathered on a rainy day in Little Rock, Arkansas, for the opening of President Bill Clinton's presidential library and museum. Looking out on the shivering, huddled masses in the audience—hiding under their flimsy umbrellas and covering up their finery with garish Wal-Mart-donated ponchos—Clinton attempted to describe the ideas that had guided his way through two turbulent terms in the White House.

Stating that America's "two great dominant strands of political thought"—conservatism and progressivism—both had important value, he went on to say, "It seemed to me that, in 1992, we needed to [both] be more conservative in things like erasing the deficit, and paying down the debt, and preventing crime, and punishing criminals, and protecting and supporting families, and enforcing things like child support laws, and reforming the military to meet the new challenges of the twenty-first century. And we needed to be more progressive in creating good jobs, reducing poverty, increasing the quality of public education, opening the doors of college to all, increasing access to health care ... and working for peace across the world and peace in America across all the lines that divide us."

From under their umbrellas, the audience cheered, but, for a former president not considered burdened by excessive modesty, Clinton had sold himself and his ideas short. He gave credence to those commentators who had always dismissed his policies as the political equivalent of a menu in an old-fashioned Chinese restaurant: one issue from a conservative Column A and another from a more liberal Column B. He bolstered the viewpoint of those on both sides of the political divide—stuck in ideological gang warfare—who always claimed that matters like crime or national security or fiscal responsibility were issues that conservatives owned, and that Democrats who acted on them were straying onto Republican turf. Most of all, he reinforced the notion that his presidency did not have a guiding compass.

The belief is widely held. In the months since November's election loss, the view that "Clintonism" and "triangulation"—the notion of finding a midpoint between political poles—are in fact synonymous has become all-but-accepted wisdom among many Democrats. In an article titled "CLINTONISM R.I.P." in *The Atlantic Monthly*, the usually incisive Chuck Todd of *The Hotline* argued that Democrats needed to stop mimicking "Clinton's strategy of centrist triangulation." When, in January, Senator Hillary Clinton remarked that "abortion in many ways represents a sad, even tragic choice for many, many women," the charge of triangulation surfaced repeatedly. Appearing on NBC's "Meet the Press" in early March, *New York Times* columnist Paul Krugman decried "the politics of the '90s, when you had Bill Clinton, who was a president who managed to sort of triangulate."

With the Democrats now having experienced two back-to-back elections where they did not offer the country any sense of direction or any larger vision, a debate about Clintonism—about what it meant, about what it was, about whether it worked, and about what it means today—is a debate that Democrats desperately need to have.

Just as Franklin Roosevelt—who was referred to as "a chameleon on plaid" by his political opponents—adopted various, and sometimes contradictory, policies as he barreled down the road to the New Deal, "Slick Willie," despite his reputation for changeability, was unswerving in a set of basic beliefs, even as he chose different avenues to give life to them. Over a 25-year career in Arkansas and as president, Clinton was remarkably consistent in his outlook on the country and approach to government.

Even a cursory examination of some of the actions that Clinton's Democratic critics point to as proving his accommodation to conservative ideology—such as signing a balanced budget, pushing for welfare reform, and declaring an end to the "era of big government"—show something more than a search for the center. Rather, they are the authentic expressions of a worldview Clinton carried not only throughout his presidency but through a quarter-century of public life. Three notions—America's increasing global interdependence, the importance of the bonds of community, and the need to rethink government for a post-bureaucratic age—formed the basis for Clinton's approach to government. They constituted an outlook—Clintonism—that has become rare to the point of extinction among Democrats since he left office. It is a vision Democrats would be wise to revisit.

*GLOBAL INTERDEPENDENCE.* A basic tenet of Clinton's thinking—from the very beginnings of his public career through his last days as president—was that America's increasing global interdependence meant that the nation's entire approach to economic policy had to change radically. For instance, in his 1987 gubernatorial inaugural address, he said that the "highly integrated, highly competitive world economy" that Arkansans were confronting demanded "economic growth and opportunity based on greater investment in people." From his first term as governor, Clinton consistently saw the bedrock issue of jobs not through the lenses of runaway tax incentives or protections that dug moats to

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*Andrei Cherny is the author of* THE NEXT DEAL: THE FUTURE OF PUBLIC LIFE IN THE INFORMATION AGE.

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Professor Amy-Jill Levine (Ph.D., Duke University) is E. Rhodes and Leona B. Carpenter Professor of New Testament Studies at Vanderbilt University Divinity School, where she also holds the position of Director of the Carpenter Program in Religion, Gender, and Sexuality. She is a prodigious scholar, author, and lecturer.

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defend against competition, but as a matter of education and skills-training for workers. The notion that "human capital" was preeminent in a global economy was central to his economic policies.

It is true that, when he reached Washington as president, Clinton famously jettisoned his promise of a fulsome investment agenda and instead adopted a policy of fiscal discipline. Under the tutelage of economic advisers like Lloyd Bentsen and Robert Rubin, he was convinced that, while education and skills were important in a global economy, lowering deficits was fundamental. Economic growth could no longer be spurred by big tax cuts or major infusions of government spending, but now required fiscal conditions that gave people around the world the confidence to invest. Yet, crucially, while the policy had changed, the worldview had not. Clinton chose to change course on his proposals but, in terms of his overarching vision, the animating principle—that the United States had to respond to globalization with new thinking—remained the same.

In the years since Clinton left the White House, the basic questions of how the United States responds to the quickening pace of globalization have gone largely unaddressed. Manufacturing jobs are evaporating at a stunning rate. The service jobs that were supposed to be more secure are quickly following them overseas. National investment in research and development is stagnating. Yet, instead of presenting ideas that would respond to the global economy, Democrats spent 2004 decrying "outsourcing" and reached a dead consensus around the self-evident need to enforce old trade agreements. Looking to the Clinton tradition, Democrats should once again focus on preparing Americans to "compete and win in the global economy." This would entail not only a return to fiscal discipline, but also enormous new investments in job-training, a wholesale reform of public education to prepare students for global competition, spurring new innovations and scientific breakthroughs, building our lagging broadband infrastructure, and completely rethinking U.S. trade and international economic policies for a new century.

*Community Matters.* It's the economy, stupid, read the famed sign in the Clinton campaign war room of 1992, and its dictum has passed into political lore. But, while Democrats had perennially concentrated on economic issues, Clinton—throughout his time in public life—set himself apart by consistently addressing a set of concerns that had nothing to do with dollars and cents. Today, most every Democrat running for national office will include in their stump speech a throwaway line extolling American virtues of "patriotism, responsibility, family, and faith." But, to Clinton, these were not rhetorical boxes to check, but rather animating principles behind the policy decisions he made.

Just as Clinton's vision of global interdependence animated his economic and foreign policy agendas, his understanding of the bonds of community was a critical part of the vision he presented to the country. He consistently spoke of civil rights as an issue that affected not only minorities, but the entire nation. His national service proposal was not offered as simply a way to help students pay for college, but as a duty that young people owed to their country. He committed enormous amounts of political capital to reforming welfare, providing 100,000 new police to fight crime, and reducing the number of teen pregnancies.

It is useful to recall that the first major speech of Clinton's 1992 presidential campaign—the speech that provided the intellectual basis of his candidacy and presidency—did not address jobs or health care or the environment, but "the responsibilities we owe to ourselves, to one another, and to our nation." Clinton thundered at those "from Wall Street to Main Street to Mean Street" who cut corners, break the rules, and violate basic American values. He said it was time that all Americans—from corporate CEOs to congressional chieftains, from deadbeat dads to welfare moms—were held equally responsible for their actions.

In 1992, it had been a long time since Democrats had conveyed a sense that they were driven by moral principles, such as personal responsibility. Since that time—and since a 1996 campaign that highlighted initiatives like keeping cigarettes from children, community policing, and school uniforms—Democrats have again emphasized economic issues almost exclusively. To be fair, part of the reason Democrats have avoided speaking about values has been a skittishness to discuss the subject in light of Clinton's own affair with Monica Lewinsky. The charge of hypocrisy is potent in politics, but there is little evidence that Americans confuse the private morality of an individual with the public morality of a nation.

The notion peddled by commentators like Tom Frank, the author of *What's the Matter with Kansas?*—that "dollars matter most" to Americans—has never rung true over the course of the nation's history. Fortunately, from Eliot Spitzer's attack on immorality on Wall Street to the willingness of some Democrats to question the pernicious effects of violent video games on children, recent months have seen Democrats once again speaking to issues that are more often associated with prayer books than pocketbooks.

*A New Vision for Government.* "For at least a decade, the system we constructed in the Great Depression has been breaking down. ... Our challenge today, as Democrats, is to recognize that this is the time of transition and to respond to it ... I honestly believe the issue is not less government and the issue is not more government. The issue is what kind of government we are going to have." This was the challenge that Bill Clinton laid out at the Connecticut Democratic Convention in July of 1980. For the 20 years following, his work in Arkansas and Washington was grounded in transforming government for a very different time.

From the promise in his second inaugural as governor to provide "a government that will give our people a better

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chance to fight for themselves" to his second inaugural address as president, when he pledged "a new government ... humble enough not to try to solve all our problems for us, but strong enough to give us the tools to solve our problems for ourselves," Clinton did what Democrats rarely do: He outlined a consistent vision for government and then acted to change not just what government does, but how it does it.

As president, Clinton worked with Vice President Al Gore to "reinvent government" so that it was not just smaller, but more responsive to citizens; fought for initiatives like the V-Chip, which used government's power to give parents more control over the TV images viewed by their children; and promoted charter schools, which provided choices in an education system that had been "one-size-fits-all."

As a 28-year-old candidate for Congress, Clinton asserted that "the people want a hand up, not a handout," and throughout his service in both state and federal government, his decisions made clear his preference for empowerment over bureaucracy and basic reform over merely throwing money at failing systems. In famously proclaiming that "the era of big government" was over, Clinton was speaking less about government's size than about its character. The time of transformation that Clinton spoke of in Connecticut a quarter of a century ago was reached during his time in the White House. But, though the era of big government closed on his watch, little has been done to determine what comes next.

In a nation where technology has completely changed the way businesses operate by giving people more choices and personal decision-making power, government still runs on a model built during the New Deal. Continuing the work Clinton began would mean completely rethinking the way government works to make it more empowering and customized and less paternalistic and hierarchical. From public schools to a failing health care system to, yes, Americans' retirement savings, Democrats need to offer a new vision of government that will put individual Americans—rather than the bureaucrats of either big government or big corporations—in the driver's seat.

The question for Democrats now is whether they will continue down the road Clinton charted, whether they will turn back to an earlier conception of Democratic action, or whether they will continue as they have since Clinton left the White House: stalled and pulled over on the shoulder, arguing amongst themselves about what went wrong, and never noticing that the future of U.S. politics is passing them by.

THE HISTORICAL ANALOGY to Clinton's legacy in this respect is that of Theodore Roosevelt. In fact, in a 1999 interview, Clinton acknowledged that T.R.'s presidency "was a similar point in the history of America, where we were transforming ourselves from, then, an agricultural to an industrial society, now from an industrial to an information technology–based society." While Clinton and Roosevelt certainly differed in personality and background, both governed at times of relative peace, great prosperity, and enormous transformation. Both fought the powerful interests of their party on some issues and found accommodation on others. But, most of all, both called into question accepted assumptions about the role of government and prepared Americans for the idea that their government would have to shift if it were to become relevant again. Neither Roosevelt nor Clinton mapped out that change, but both laid the groundwork for the task ahead.

But it is worth remembering as well that, in the years after the Republican Rough Rider left office, the greatest strides in furthering his legacy and ideas occurred among Democrats like Woodrow Wilson, Louis Brandeis, and T.R.'s cousin Franklin. Republicans celebrated Teddy Roosevelt's ebullient personality but either scorned or ignored his policies. And thus, Democrats became the majority party and Republicans spent a half-century in the wilderness, carping about progressive missteps and overreaches.

With this in mind, Democrats should beware. In the late '90s, when the United States, under Clinton's leadership, went to war in Kosovo to give "confidence to the friends of freedom," he was opposed by many Republican leaders who preached a doctrine of neo-isolationism. Today, President Bush is the most prominent spokesperson for the notion that the United States has a role to play in advancing democracy and liberty around the world. And, in 2004, one presidential candidate had this to say: "Government should never try to control or dominate the lives of our citizens. Yet government can and should help citizens gain the tools to make their own choices and to improve their own lives." It was Bush, singing straight from the Clinton hymnal. This is not to say that "we are all Clintonites now," nor to confuse Bush's words with actions that fall far short of the challenges we face. But, if they are to avoid the fate of the GOP a century ago, Democrats themselves need to think hard about the legacies and lessons of Clintonism.

In the '80s, Democrats made a mistake in assuming that only Reagan's charisma and dramatic flair were responsible for Republican wins. Today, many Democrats perpetuate the myth that it was Clinton's easy charm or Southern drawl that was primarily responsible for his success, and that a candidate who resembles him in these ways can be "the next Bill Clinton." This minimizes Clinton's vision and misses the point of what he accomplished. Moreover, it is a recipe for the same sort of setbacks Republicans experienced in the last century when they failed to follow the path laid out by Teddy Roosevelt.

The next Bill Clinton will be a leader who brings not only a twinkle in the eye, but a vision for the future. Because, if there is one central tenet of Clintonism, it is that we live in a fast-changing world, and we must forever be changing with it. Clinton's vision was meant for his time, not for all time, but, until Democrats come to terms with Clintonism as it really was, they will not be able to move forward. ■

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# WHAT'S WRONG WITH AMERICA'S AIRLINES? A PRIMER FOR THE TRAVELING PUBLIC.

## A myriad of problems face the industry in an era of rising costs and competition

**On April 21, 2005, approximately 250 key aviation stakeholders and business and government leaders met for an open dialogue on the economic importance of America's aviation system and the crisis it currently faces. Briefing attendees on "What's Wrong with America's Airlines, and How Can it be Fixed," Mark R. Kiefer of Charles River Associates briefed the audience on a wide range of topics, from soaring fuel prices to the high cost of health care and wage packages for airline employees. The following is a primer on the challenges facing the airline industry, adapted from a transcript of the event:**

**MARK R. KIEFER**
ASSOCIATE PRINCIPAL,
CHARLES RIVER ASSOCIATES

*Excerpt of remarks of Mark R. Kiefer, associate principal for Charles River Associates, during the "Transforming Aviation: The Critical Need for Solutions" conference sponsored by the National Chamber Foundation on April 21, 2005, in Washington, D.C.*

**Q:** Will it spell catastrophe for the airlines if they don't reduce their costs, and is there a possibility that some of the carriers won't even be in business in the near future?

**A:** The financial crisis of the legacy carriers remains ominous, and by "legacy carriers," whenever I say that, what I'm referring to is the airlines that were founded prior to the deregulation of the industry in 1978. So we're talking about most of the major carriers — the Uniteds, Deltas, Americans, Northwests, Continentals, and so forth. I think it is fair to say [that] without significant further cost reductions, they face potential bankruptcy or even liquidation. Now, that's an open question as to how that might happen or whether that might happen, but I think that's what we're really dealing with.

I think it's also fair to say that one or more of these airlines will not be in business five years from now, given the current crisis. I think it is also fair to say that labor costs must play a role in any cost reductions. It's the single-largest component of operating costs for the major carriers, and flight personnel [compose] the largest share of these labor costs — [approximately] 32 percent and 54 percent, respectively, for the major carriers.

**Q:** How do health care and pension costs fit into the equation, and to what extent are those costs further draining the airlines' coffers?

**A:** The pension plans and post-retirement benefits of the legacy carriers are simply unsustainable at the levels we now see them. We've already seen the Pension Benefit Guaranty Corp. move to take over the pension plan of the ground employees of United Airlines. They want[ed] to do that early because they thought that if they waited another few months, it could cost them another $150 [million to] $200 million. And, at the same time, the solvency of that organization, which is a federal agency that guarantees pensions, is already in doubt. I think it's probably fair to say the transfer of even maybe one of the major airlines' entire pension plans to that organization could be devastating and unsustainable.

The general escalation in health care costs that we've all been talking about and hearing about for the last several years really is part of this problem, because ultimately that's responsible for the escalating post-retirement insurance benefits that are now a serious problem for the carriers.

**Q:** Passengers now have the option of purchasing their tickets online, and many businesses have fallen back on teleconferencing in recent years. How has this technology affected the legacy carriers' bottom line?

**A:** Some of the forces that have been motivating change in the industry over the last several years, or even more, [are] advances in technology. Certainly you've heard about advances in aircraft technology, but there also has been a pretty significant increase in the penetration of online ticket sales, and that's reduced costs for the airlines and also created price transparency for the consumer, which his very important in understanding the level of competition carriers now face.

I think central to the problem is the reorientation that business travel has undergone in the last few years. There was a disproportionate drop in business travel after Sept. 11, [2001]. Travel has come back, but business travel has not. There is much more cost-consciousness among business travelers, and maybe more importantly, among their employers, who had begun to balk at the very high walk-up fares that the airlines



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were charging, particularly for trans-Atlantic travel, even before Sept. 11.

**Q:** Low-cost carriers have traditionally offered lower fares. How has this increased price competition impacted the legacy carriers?

**A:** The cost structure of low-cost carriers is predicated on intense price competition. Remember, it's important to point out that the business model of airlines like Southwest is motivated not by low costs, but by low fares. [Low-cost carriers were] intent from the very beginning to offer customers very low fares, and the cost structure follows directly from that. They take advantage of route competition by flying to secondary airports and are able to compete directly with legacy carriers in a lot of major markets.

Legacy carriers have faced, over time, somewhat limited price and route competition on a national scale, which is to say they have competed mostly with each other. That's not to say there has not been intense price competition among the legacy carriers. We saw some of that in the early '90s. However, it had disastrous results financially for the industry, wiping out all the profits made in the prior 10 years.

**Q:** The legacy carriers haven't shown profits since 2001, but low-cost carriers continue to turn a profit. Does this mean the low-cost carriers are now dictating ticket pricing?

**A:** It's not surprising that the legacy carriers have remained unprofitable while the low-cost carriers are making money. This significant market penetration by the low-cost carriers means they are dictating prices in most of the markets in which the legacy carriers operate. Because the model was predicated on low fares, [low-cost carriers] can afford to charge these fares, but at these low-cost carrier prices, the legacy carriers simply can't make money. And I think that is true [despite] the very significant impact that rising fuel prices have had over the last year.

**Q:** How is the large debt racked up by legacy carriers now impacting them?

**A:** [A] significant amount of debt [has] been accumulated by the legacy carriers [and] the airline industry in the last few years. What this does to a carrier when [it has] such a high debt load is it poses significant additional costs and additional burdens to [its] cash flow, which of course is a very serious problem because they have so many more interest payments. It also restricts their access to further capital.

**Q:** What's the main issue that sets low-cost airlines apart from legacy carriers?

**A:** I think perhaps the most serious issue that differentiates these two types of carriers is the pension and post-retirement benefit liabilities that the legacy carriers now face. Low-cost carriers do not have pension plans. Again, they are carriers that came into existence in an environment of price competition, which meant that benefit would be too expensive to offer.

**Mark Kiefer:**

**"THE SURVIVAL OF LEGACY CARRIERS IS UNLIKELY WITHOUT SIGNIFICANT FURTHER COST REDUCTIONS. I THINK IT'S FAIR TO SAY ONE OR MORE LEGACY CARRIERS MAY NOT BE IN BUSINESS FIVE YEARS FROM NOW."**

Likewise, rising health care costs have produced large unfunded post-retirement insurance liabilities. Again, these are benefits that, by and large, the low-cost carriers do not have. This liability is [more than] $12 billion, so we're talking about $33 billion in unfunded liabilities [for] an industry that basically has no cash and no access to further financing.

**Q:** Is the recent surge in fuel costs disproportionately affecting legacy carriers, and what can they do to curb this trend?

**A:** High fuel costs indeed are disproportionately affecting the legacy carriers. What has differentiated the low-cost carriers in this regard is their ability to hedge against increased fuel prices. Most legacy carriers have little or no fuel hedges; by the end of this year they will have none. Their weakened financial condition and limited cash will require that legacy carriers achieve further structural cost reduction.

**Q:** Will labor costs play an important role in the restructuring of the industry?

**A:** Labor costs must play an important role in industry restructuring. They already have, it has been mentioned. There have been very significant wage concessions that have been granted by the major unions, the pilots union in particular, of the legacy carriers over the last couple of years. But it is important to remember [that] legacy carriers can't make mitigate the effect of high fuel prices, and that is the other really big cost. Again, it's the single-largest component of major carrier operating costs — [approximately] 32 percent of the total, and flight personnel [approximately] is 45 percent of that.

**Q:** What do the legacy carriers need to do to ensure their survival?

**A:** The survival of legacy carriers is unlikely without significant further cost reductions. I think it's fair to say one or more legacy carriers may not be in business five years from now. There is a number of ways that that might happen, [such as liquidation or consolidation].

To survive, I think the legacy carriers are going to have to reinvent themselves as post-deregulation carriers, perhaps much in the way that America West did a number of years ago. And I think the kinds of changes we have talked about in terms of the reduction in pension benefits are going to have to play a part in that.

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To view the complete transcript from the event online go to:
**http://tnr.com/panel/tnr_on.mhtml**

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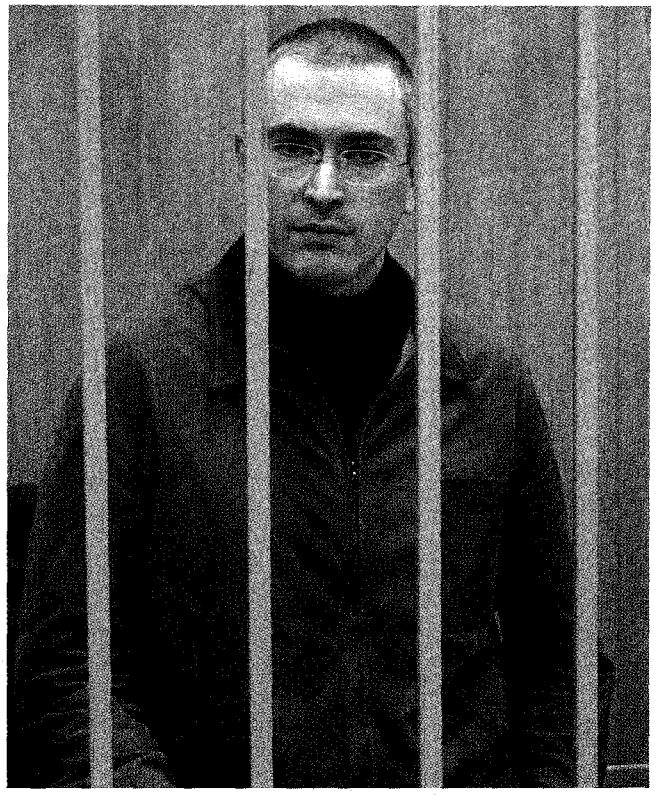
Moscow Dispatch

# Show and Tell

BY MASHA GESSEN



*Mikhail Khodorkovsky: This could happen to you.*

FOLLOWING ONE OF the last hearings in the trial of Russian billionaire Mikhail Khodorkovsky, I hailed a gypsy cab to get to my office. As I spoke by mobile phone to a colleague, the cabbie listened intently and, as soon as I was finished, turned to ask, "Do you think he's got a chance?" "No," I said, "and his people don't think so, either." "That's terrible," the driver replied. "They are making a scapegoat of him."

As we talked, it became clear the driver was not well-informed about the seven fraud, embezzlement, and tax-evasion charges against Khodorkovsky. The former head of Yukos, Russia's largest oil producer, Khodorkovsky has now been on trial for ten months. In the years before his arrest, he became known not only as Russia's wealthiest man, but also as perhaps its most prominent philanthropist and donor to opposition causes. On the surface, it seems, Khodorkovsky had little in common with my cab driver, a former schoolteacher in her early fifties driving a dilapidated Lada with only two functioning gears. But she had grasped the central message of the Khodorkovsky proceedings: This is a show trial—a weapon the state could use against not only the oil magnate or the superrich, but against anyone.

In recent months, the old Soviet show trial has been reborn here. When Khodorkovsky was first arrested 18 months ago, a survey conducted by a Moscow newsweekly showed most entrepreneurs and politicians expected him to get away with a slap on the wrist. Now, courtroom reporters are taking bets on whether the oil tycoon will get six, eight, or ten years in a labor camp when the verdict is announced in mid-May—a sentence intended as a warning to anyone who gets too free with his money. Such is the nature of the show trial as Josef Stalin perfected it in the 1930s: Protracted, rigged, well-publicized hearings followed by an extremely harsh verdict aimed less at punishing the particular defendant than at scaring anyone who might challenge the state. The more people empathized with the defendant, Stalin apparently reasoned, the more effective the show trial. By that standard, the Khodorkovsky case, which has brought low Russia's richest man, has been an enormous success for President Vladimir Putin.

THOUGH KHODORKOVSKY HAS received much of the media attention, Russians have taken note of other show trials as well. There are the political show trials. These generally involve young members of the National Bolshevik Party (NBP), currently Russia's most active opposition organization—essentially a pro-democracy group, despite its odd choice of name. In August, seven members of the party were arrested while staging a sit-in in the office of the health minister. They were charged with harming state property, though they had been careful to touch almost nothing. In December, each of the protesters was sentenced to seven years in a labor colony, an incredibly harsh sentence. Thirty-nine more members of the party, among them nine under the age of 18, are awaiting trial for another protest, a sit-in at the presidential reception office—a room located about a mile from the Kremlin where official correspondence is delivered. They face the even more absurd possibility of being charged with attempting to stage a violent overthrow of the federal government—along with sentences of up to 20 years apiece. Again, the harsh sentences have sent a message to Russians. I recently spent time with NBP members canvassing a working-class neighborhood in the Moscow suburbs. Nearly everyone had heard of the NBP, but many people refused to sign petitions they were carrying, precisely because they knew about the sentence the NBP activists face. "I'd sign, you know, if I didn't have to put my personal details down," said one woman. "I feel bad for the boys in prison, but I don't want any trouble myself."

There is also the media show trial. In October, a Moscow court awarded Alfa Bank—one of Russia's largest—$11 million in damages, to be paid by *Kommersant*, the leading business daily owned by self-exiled oligarch Boris Berezovsky, who has repeatedly criticized Putin's government.

TATYANA MAKEYEVA/AGENCE FRANCE PRESSE/NEWSCOM

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(An appeals court has since reduced the fine to about $1.5 million.) The newspaper had published an article describing a run on the bank's Moscow offices during a brief financial crisis last July. The remarkable thing about the verdict was that the veracity of the report could not be questioned. *Kommersant* was one of several media outlets to have reported the panic, and TV footage broadcast by state channels confirmed the crisis. But the bank claimed that the paper's report in particular damaged its business reputation, and it won the case.

And then there are terrorism show trials. In January, a Moscow court sentenced Zara Murtazaliyeva, a 21-year-old college student from Chechnya, to nine years in a labor colony. The woman was convicted of conspiring to commit an act of terrorism. The prosecution's case was bizarre: It rested primarily on explosives, which were supposedly found on the defendant but that the prosecution claimed had been destroyed in the course of the investigation. This is the latest in a series of similar trials: At least two other young ethnic Chechen college students are already serving similarly long sentences, imposed with little evidence.

Two major corruption trials also have put many people here on guard. One, which began a year ago, involves seven senior police officers. All were captured in raids to which TV journalists had received advance invitations. The cameras documented opulent suburban houses belonging to officers whose official salaries are less than $1,000 per month, and the footage of Special Forces barging into these homes and apparently finding not only gold and antiques, but also heroin and explosives, was broadcast repeatedly on state television. Such raids have been ongoing within the Russian police force for years, and trials have sometimes followed—but what makes this a show trial is all the advance publicity and the harsh sentences the defendants may face. The general who, the prosecution claims, ran the crooked cops' gang may face up to 20 years in a labor colony.

Another big corruption trial worries ordinary Russians far more, because the defendant is not a state official or a police officer but a regular Muscovite. Last August, Ildar Bicharov was stopped for a traffic violation—he had made an illegal turn. As most Moscow drivers do, he offered the traffic policeman cash on the spot in lieu of a fine. But Bicharov was booked for the crime of proffering a bribe and later sentenced to two years' probation. This case illustrates another important aspect of the show trial: The choice of victim must seem random, sending the message that anyone can be picked by the state and put on trial. And, unlike examples in the United States, where corrupt cops or mobsters are paraded in public, these Russian trials are far different. While, say, Eliot Ness had every intention of prosecuting every mob figure to send the message that organized crime is wrong, here, the government has no intention of actually rooting out corruption, merely in sending the message that anyone could be silenced by the state.

What is the point of all these trials? Several weeks ago, an adviser to Putin, Igor Shuvalov, admitted, "The [Khodorkovsky] case was a show trial intended as an example for other companies. ... If it hadn't been Yukos, it would have been another company." Even Russian journalists, accustomed to dealing with brutally cynical politicians, were shocked by this statement: First, because the Kremlin was admitting that the choice of Yukos as a defendant has been arbitrary; and, second, because the Kremlin was openly using Stalin-era language, admitting that it was staging a show trial. After all, the show defendants of the '30s also faced patently absurd charges, such as having organized a Trotskyist plot to murder Soviet leaders. These trials were not designed to show Trotskyite saboteurs they would be punished. Rather, the message was that the regime could punish anyone, at random, and the charges would always stick.

The Yukos trial fits this pattern perfectly: The prosecution's case is ridiculously flimsy, to the point that, when the prosecuting attorney was reading his final arguments, much of the audience, including journalists working for state outlets, laughed openly. The prosecution had not even collected the documents needed, for example, to link the defendants to the companies they are supposed to have defrauded. What's more, as in Stalin's time, the prosecution tries to intimidate the defense—the defense decided to call only a handful of its witnesses, explaining that testifying at the trial placed people at great risk. These fears are clearly warranted: Ten of Khodorkovsky's associates, including two lawyers, have been arrested, and nine more have evaded arrest by going into hiding or leaving the country. Nor are they the only people scared by the trial. Last year, *Isvestia*, Russia's leading daily, took a poll in which 88 percent of respondents said they thought businessmen, feeling spooked by the case, were scared to bring up the matter in meetings with Putin. Another survey, conducted by the Levada Center, Russia's most reputable polling firm, showed that nearly half of Russians believe the Kremlin is pressuring the court to convict Khodorkovsky, and less than one-third believe the court will deliver a just verdict.

In his final arguments, Genrikh Padva, Khodorkovsky's lead attorney, sounded more like a teacher than a passionate lawyer. Over the course of three days of hearings, Padva read his arguments, methodically listing all of the prosecution's errors, and aiming to show that the prosecutors failed to supply any documents proving the defendants guilty. His wry, downbeat tone was apparently intended to show that he entertained no illusions about his ability to convince the judges but, in the interests of history, he needed to get all his arguments on record. The judges, three fortyish, overweight women, each sporting a shiny helmet of combed-back hair, sat still, their lips pursed in identical demonstrations of displeasure.

Their demeanor seemed to signify that the decision had already been made, and Padva's insistence on procedure was a waste of time. That's the message the many show trials seem to have communicated to Russians everywhere—which is why even a poor gypsy cab driver can now identify with a former oil tycoon. ■

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DeLay of the land.

# Home Invasion

BY JOHN B. JUDIS

*SUGAR LAND, TEXAS*

BEVERLY "B.K." CARTER, grandmother and longtime editor of *The Fort Bend Star*, a weekly she publishes out of a strip mall in Stafford, Texas, holds up her a newly acquired T-shirt. It has a picture of Tom DeLay, Carter's U.S. representative, and says, THE BEST CONGRESSMAN MONEY CAN BUY. She chuckles at the shirt but then frowns at the thought of the man it depicts. "Every year he has done things that were questionable. Imagine standing out on a golf course in the Marianas and saying those sweat shops were an island paradise," she says, referring to DeLay's efforts, on behalf of lobbyist Jack Abramoff, to maintain the Mariana Islands' exemption from U.S. labor laws. Carter, you might think, is a Democratic loner in DeLay's district. But she's not. She is a lifelong Republican and is currently a Republican precinct chair in Fort Bend County, the heart of DeLay's 22nd congressional district.

Other local Republican officials insist that Carter is atypical and that the district's voters will be solidly behind DeLay if he runs for reelection in 2006. "The district is so strongly Republican that he is not going to lose," says Eric Thode, the chairman of the Fort Bend County Republican Party. But Carter, while certainly eccentric, may not prove so exceptional in her views. Indications that a politician is using his office for personal gain can doom even the most entrenched official, as 18-term Chicago Representative Dan Rostenkowski discovered in 1994, when he was indicted in a House Post Office scandal. So far, DeLay hasn't been indicted, only admonished, but he is still facing a raft of ethical and legal investigations in Washington and Texas stemming from his ties to lobbyists and corporate high-rollers.

And, while DeLay's district—and particularly Fort Bend County—may still have a majority of registered Republicans, it has quietly become more centrist and less tolerant of his ideological excesses, as Asians and other new groups of voters have moved in during the last decade. DeLay can still win reelection, but he will not have an easy time. And he could find himself in a downward spiral as he has to devote more resources to fending off charges in Washington while his popularity wanes at home.

DELAY'S HOME AND political base has always been in Sugar Land, the largest town in Fort Bend County and the fastest-growing in Texas, having exploded from a population of 4,000 in 1980 to over 70,000 today. It is also one of Texas's most prosperous towns, built around a huge shopping mall, which opened in 1996, and walled-off developments that are often located on or near private golf courses. DeLay himself lives in a development right off the Sweetwater Country Club (where former Enron executive Cliff Baxter killed himself three years ago). Sugar Land is, its mayor David Wallace acknowledges, a "laissez-faire capitalist heaven." It has no public transportation or public hospital. Even its one public golf course was plowed under to make room for a mall. Its main source of community has been its schools and its growing evangelical congregations. Sugar Creek Baptist Church, for instance, fills its 2,500-capacity chapel twice every Sunday morning.

DeLay, who was first elected to Congress in 1984, drew his initial support from the upper-middle-class white professionals and managers who had begun migrating to Fort Bend in search of large houses and good schools. They applauded DeLay's opposition to government regulation and came to identify the Republican Party with personal success. As DeLay experienced a religious awakening in the late '80s, he also found support in the ranks of the Christian right, which he himself helped to organize. (Norm Mason, an engineer who is now chairman of the Texas Christian Coalition, said that, while they were at Sugar Creek Baptist in 1992, DeLay recruited him to head Fort Bend's first coalition chapter.) Put these professionals and evangelicals together with those white working-class voters in the southeast suburbs who abandoned the Democrats over civil rights, and you have the basis for DeLay's two-to-one victories from 1984 through 2002.

But, while many of the engineers, scientists, and managers who live in Sugar Land, Kingwood, and Clear Lake are registered Republicans, they aren't party activists. And they don't like corruption in politics any more than they do in business. Many of these voters have turned against DeLay in the last year. A poll conducted this month by SurveyUSA found that 51 percent of the district's residents disapproved of the job DeLay was doing in Washington.

Michael Garfield is typical of those Sugar Land Republicans who have soured on DeLay. Garfield moved to the area in the early '90s, when, by his own description, "there was nothing here." A commentator and consultant on high technology, Garfield describes himself as "not the most political person." He was, however, unhappy with DeLay. "A person in his position shouldn't be in the headlines all the time. He should be doing his job," Garfield said. "I got *Time* and *Newsweek*, and there were three-page stories on him. He's spending his days flying on Air Force One, hanging out with Jack Abramoff." Bill and Paula Via, who live in a large house with a swimming pool in a development called the Commonwealth, share Garfield's assessment of DeLay. "He is playing loose with those lobbyists," Paula Via said. Bill Via, who said he was "apolitical," said, "I think [politics is] all a farce. But some of the politicians are worse than others."

In Fort Bend politics, DeLay's woes are deepened by a growing antagonism between religious and economic con-

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servatives. The Christian Coalition's Mason laments that "opportunists" are trying to take over the Republican Party, while Thode describes the religious right as "my wacko wing." As DeLay has become even more outspoken in his identification with the religious right—evidenced in his attack against the judiciary for permitting the death of Terri Schiavo—he has prompted criticism from business conservatives. Carter, a classic economic conservative, fears that the religious right wants to create a "theocracy" and accuses DeLay of having "whipped up a frenzy" over social issues while ignoring mounting budget deficits. And Carter is not alone. A *Houston Chronicle* poll this spring revealed that 68 percent of the 22nd district's voters disapproved of government intervention in the Schiavo case.

DeLay's 22nd district, which he designed in a 2003 redistricting effort that aimed to net seven more Republican seats in Texas, has also begun to change in ways that will not benefit an outspoken Christian conservative like himself. When DeLay first won office, the district was predominately white, with a few pockets of black voters. Because the area's population has ballooned 18 percent since the 2000 census, there are no dependable figures about the district's overall composition, but both Republican and Democratic leaders agree that, without losing its high levels of wealth and education, it is becoming a "majority-minority" district, in which whites are outnumbered by other ethnic groups. Latinos and blacks moved into the district in the late '80s. And, in the '90s, middle-class Indians, Pakistanis, Vietnamese, and Chinese immigrants began to pour in. Two Hindu temples now vie for attention with the Baptist megachurches.

Extrapolating from the census would put the African American population at about 10 percent, Latinos at over 20 percent, and the Asian population at close to 15 percent. The results in Fort Bend County are even more dramatic. In 1980, the area's public schools, which attract all the area's children, were 64 percent white, 16 percent black, 17 percent Latino, and 3 percent Asian. Today, they are 29 percent white, 31 percent black, 21 percent Latino, and 19 percent Asian.

Most of the black and Latino voters are Democrats. A black Democrat, Rodney Ellis, represents Missouri City in the state Senate, and Latino Democrat Dora Olivo represents the same area in the House of Representatives. But the Asian vote is more complex. The Indians are the most Democratic. The Pakistanis used to be Republican, but, along with other American Muslims, turned to the Democrats in the face of anti-Arab and anti-Muslim sentiment after September 11. The Vietnamese and Chinese were also initially Republicans, but have become increasingly receptive to Democratic support for civil rights. Mustafa Tameez, a highly regarded Democratic political consultant in Houston, says, "For many of the Asians, whoever reaches out to them gets their vote."

If you put the district's disillusioned white professionals together with a majority of the Asians and large majorities of blacks and Latinos, you get a coalition that could unseat DeLay and, over the long run, perhaps, lay the basis for a Democratic resurgence in the area. This potential was evident in two races last year. In a state representative's district adjoining Fort Bend County and somewhat similar to it in ethnic composition, Vietnamese businessman Hubert Vo, running as a Democrat with the help of Tameez, pulled off an astonishing upset over eleven-term conservative Republican Talmadge Heflin, the powerful chairman of the House Appropriations Committee. Vo won because he mobilized the district's Asian vote, which is about one-fifth of the electorate. Says *Texas Monthly* executive editor Paul Burka, "That demographic tidal wave is headed Tom DeLay's way."

In his own reelection contest, DeLay faced Democrat Richard Morrison. Morrison had only recently moved into the district, had no prior experience as a candidate and little of the politician's charm, was outspent almost five to one by DeLay, didn't really get his campaign off the ground until the last month, and ran well to DeLay's left. But Morrison held DeLay to only 55 percent—his lowest total ever—while garnering 41 percent himself.

Republican officials insist that Morrison got the baseline vote that any Democrat running against DeLay would get in the new 2004 district. "I would run my dog and he would get that much," Thode says. But, in 2002, DeLay defeated Democrat Tom Riley by 60 to 38 percent in the Fort Bend County part of the district. DeLay potentially strengthened his hand in that county after 2002 by moving 45,000 black voters to Al Green's majority black 9th district in Houston. But he did much worse—winning only 53 to 42 percent—in 2004. Morrison didn't get a baseline vote in November 2004. He captured part of what could have been a much larger disaffected vote, prompted by the growing unease of the region's professionals with DeLay's performance in Congress.

Whether Democrats can defeat DeLay will depend partly on their funding a credible candidate to run against him—one who will not scare away the district's registered Republican majority. Says Leonard Scarcella, a conservative Democrat who has been mayor of Stafford since 1969: "Someone needs to park himself to the right, and take everything to the left of that. You don't have to convince anyone on the left. You have to convince voters that you can represent conservative values on religion and fiscal stability."

Several potential Democratic challengers have begun to emerge. Former Representative Nick Lampson has already announced his candidacy. Lampson, who was a victim last year of DeLay's redistricting schemes, used to represent the Galveston County area—including the Johnson Space Center—that is now part of DeLay's district. While known as a defender of labor unions, his record on social issues is moderate to conservative—a Catholic, he voted to restrict partial-birth abortions and founded a congressional caucus for missing and exploited children. And, while he has proved less than inspiring as a campaigner, his low-key, modest ap-

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proach might provide a favorable contrast with DeLay's fervid histrionics. And Lampson understands the district's politics. He says, "It's my hope that—instead of talking about who is farthest to the left, and who is in a red state, and who is in a blue state—we can talk about the United States."

Another potential contender is Gordon Quan, a China-born Houston immigration lawyer who was elected to the Houston City Council in 2000 and who has formed an exploratory committee to consider a challenge to DeLay. Quan is counting on Asian money and votes. Says Quan, "Seventy-five to 80 percent would vote for me even though they may be nominal Republicans." But Quan has also some notable disadvantages as a candidate. He doesn't have Lampson's stature as a former representative, and he would inevitably come off as an outsider and a political novice in comparison with DeLay. And he may be too liberal for the district. Speaking in his office with a view of a public park below, Quan described his "issues" as homelessness, affordable housing, and the welfare of senior citizens. But only 2 percent of the 22nd's residents are on public assistance, and, among Texas's congressional districts, it has the third-lowest number of people on Social Security.

So far, the smart money is on Lampson. One Texas political consultant, who, because of client ties to DeLay, didn't want to be quoted by name, called Lampson "the ideal candidate." "He is someone of substance. He is the antithesis of DeLay." Political consultant and TV commentator Paul Begala, who grew up in Stafford and still knows the area well, also thinks Lampson is "the best of the lot." But, like Scarcella, Begala worries about a Democrat beating DeLay where Republicans still outnumber Democrats. Lampson's campaign slogan, Begala advises, should be, "I'm a conservative, not a crook." ■

## Patronage, Bush-style.

# Wages of Sin

BY JONATHAN CHAIT

EVERYBODY, WITH THE exception of Jack Abramoff, agrees that Jack Abramoff is a very sleazy man. (You can get a sense of Abramoff's low repute from his ubiquitous description as a "disgraced lobbyist"; in a profession of such rock-bottom standards, to distinguish yourself as unethical requires villainy on a truly epic scale.) And most everybody agrees that Representative Tom DeLay, Abramoff's longtime friend and ally, is at least moderately sleazy. "The Beltway wisdom is right. Mr. DeLay does have odor issues," argued *The Wall Street Journal* in a widely noted editorial.

All that is certainly true. But DeLay and Abramoff are not merely a pair of ethically challenged individuals. They do not even merely represent the Republican leadership having grown "comfortable with the perks of power," as *National Review* noted with dismay. They are the inevitable byproducts of the governing ideology that has taken hold in George W. Bush's Washington. The ideology is called "big-government conservatism."

"Big-government conservatism" may sound like an oxymoron, but Bush has proved that it is not: He is undeniably a conservative, and, just as undeniably, he has expanded the power of the federal government. How, though, can a conservative preside over a larger and more intrusive government? Conservative intellectuals have made a series of attempts to explain (or, in some cases, explain away) the president's Leviathan tendencies. Three interwoven theories have emerged.

The first defines big-government conservatism as a concession to public demand. As Ramesh Ponnuru of *National Review* has written, "[T]he constituency for smaller government is too weak to prevail." Many of the critics as well as the defenders of big-government conservatism agree on this point. The critics—like Ponnuru and his colleague Jonah Goldberg—see big-government conservatism as a simple ideological capitulation.

Defenders have tried to portray big-government conservatism as making virtue out of political necessity. George F. Will defines big-government conservatism as using government programs to promote moral values among the citizenry. *Weekly Standard* editor Fred Barnes posits that big-government conservatives are "realistic and programmatic," embracing "programs that work." *The Economist* has endorsed both the virtue and the programmatic interpretations.

None of these accounts, though, goes very far toward explaining what Bush has done and why he has done it. If government has expanded under Bush because of hostile currents of public opinion, then it should have expanded even faster under President Clinton, who was less conservative than the current president. But, in fact, non-defense spending as a percentage of the economy actually declined under Clinton, from 17 percent of gross domestic product to 15.5 percent, before rising smartly under the present administration from 15.5 to 16.5 percent. (Did homeland security contribute to the rise in spending under Bush? Just a bit: It accounts for about one-seventh of the domestic spending hikes.) Conservatives haven't explained why a moderate liberal like Clinton had an easier time than Bush in resisting popular demand to spend.

And the efforts to put a positive spin on big-government conservatism are embarrassingly sparse. If you itemize the ways Bush has enlarged Washington's power, few of them have any plausible connection to moral values. (David Kuo, former White House deputy director of faith-based initiatives, complained that the administration "never really wanted the 'poor people stuff.' ") Fewer still can be considered demonstrably effective. (Barnes musters only three

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examples of Bush supporting "programs that work": the Women, Infants, and Children nutrition program, the National Weather Service, and the National Science Foundation, which combined represent a miniscule portion of the expansion of spending under his administration.)

The failure of intellectuals on the right to adequately define big-government conservatism reflects their failure to grasp the ways that DeLay and Abramoff became central to the conservative movement in Washington. To define big-government conservatism as a form of pragmatism or as the promotion of virtue is to miss its fundamentally corrupt nature. In truth, the most accurate definition—that is, the definition that explains the broadest scope of Bush's big-government initiatives—is far less edifying: Big-government conservatism consists of initiatives that benefit economic elites without using free-market mechanisms.

CONSERVATIVES BEFORE BUSH did not, of course, oppose each and every way in which Washington commandeered society's resources. Some of Bush's biggest initiatives—increased spending on defense and security and the vast deficits that inevitably result when those are combined with huge tax cuts—are very much in keeping with mainstream, small-government conservatism. (Or, at least, to the extent that there's a contradiction between them and small-government principles, it's a contradiction that most conservatives have been willing to overlook since long before Bush took office.) But that still leaves plenty of new ways that Bush has expanded federal power to set him apart from the conservative tradition.

Begin with the Medicare bill, Bush's largest social spending initiative by far. It's true that Bush probably embraced the notion of adding prescription-drug coverage because opposition had grown untenable. But the distinctive characteristic of Bush's bill is its staggering array of handouts to private interests. The goodies included a $71 billion subsidy for corporate health care plans, $46 billion for Medicare HMOs, $25 billion for hospital chains, and more than $100 billion for pharmaceutical companies, not including a lucrative provision forbidding the federal government from negotiating lower drug prices. Just about all of Bush's big-government conservative agenda works the same way. Whereas Clinton signed a law phasing out federal crop payments, Bush lavished $180 billion in subsidies for agribusiness. His energy plan, roundly condemned by free-market economists, would have done the same for the energy industry, which, after all, wrote much of it. Bush's Faith-Based and Community Initiatives, had he been more committed to their funding, could have turned thousands of charities into federal clients.

Bush's expansion of government is not limited to higher spending. At various points, he has imposed protective trade barriers on imports of textiles, steel, lumber, shrimp, and other goods. And he has been particularly shameless in creating narrowly targeted tax breaks of the sort that increase, rather than diminish, Washington's role in the economy. Last fall, Bush signed a little-noticed corporate tax bill that, rather than cut rates across the board, showered benefits on bow-and-arrow manufacturers, foreign dog-race gamblers, ceiling-fan importers, and other dubious beneficiaries whose only claim to preferential treatment lay in their ability to lobby for it.

BUSH'S BIG-GOVERNMENT conservatism represents the coming to fruition of a Republican strategy ten years in the making. When the GOP took control of Congress after the 1994 elections, it undertook an ironclad alliance with the business lobbyists of K Street. The most famous aspect of this alliance was the K Street Strategy, the successful Republican campaign to force business donors to abandon their traditional bipartisanship and instead hire from and donate to the Republican Party exclusively.

The less well-known, but far more important, aspect of the GOP–K Street alliance revolved around policy. By steering government largesse toward their own donors, Republicans could create a self-perpetuating money machine. Industries whose profitability relies on government largesse—and especially those that depend on favors that only Republicans support—will naturally invest some of those profits back into the political party that provides them. Nicholas Confessore explained how this machine works in a definitive 2003 *Washington Monthly* cover story. Taking the example of Medicare, he wrote, "[U]nder the GOP plan, the medical insurance industry would gradually become a captive of Washington, living off the business steered to it by the government but dependent upon its Beltway lobbyists—themselves Republican surrogates—to maintain this stream of wealth. Over time, private insurers would grow to resemble the defense sector: closely entwined with government, a revolving door for Republican officials, and vastly supportive, politically and financially, of the GOP."

Does that sound overly dramatic? Consider what Robert E. Moffitt, a policy analyst at the conservative Heritage Foundation, said about Bush's Medicare bill last fall. "The Medicare program has now become a vast arena of special interest politics," he told *The Boston Globe*. "It has been transformed from a system where we were providing health care for seniors into a system where there is a massive redistribution of income among health care providers." Social Security privatization would, over time, affect a similar transformation in the financial sector. While ideology surely motivates would-be privatizers more than money, they have no doubt given some thought to the future prospect of grateful Wall Street executives looking to protect the hundreds of billions of dollars of business steered their way by Republican Washington.

Conservatives protest that their close ties with K Street make them no different than the Democrats who once ruled Congress. It's certainly true that the old Democratic Hill barons, like their Republican successors, engaged in plenty of unseemly influence-peddling. But the contrast between

*Continued on page 27*

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# WHAT'S WRONG WITH AMERICA'S AIRLINES, AND HOW CAN IT BE FIXED?

**Once, America's airlines were the envy of the world. Today, this vital industry is hampered by long lines and delays, as well as falling ticket and stock prices. These profound structural changes occurring in the airline industry signal the beginning of a new period in its history. This landmark study, created by a team of researchers and economists from Charles River Associates, one of the nation's leading consultancies, examines how changes in technology, the regulatory environment and the economics of business travel have combined with unprecedented external shocks to radically and permanently change the competitive landscape.**

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For years the bulwark of the U.S. airline industry, the legacy network carriers have a basic structural problem that threatens their very survival. Simply put, their costs are unsustainable. Faced with competition from low-cost carriers (LCCs) in most of their markets, they can no longer charge fares sufficient to produce profits with their much higher operating costs. They have historically provided pension and post-retirement insurance benefits, obligations which have become massively underfunded in the last few years. Collectively these obligations now represent a staggering $33.4 billion. These factors, along with massive debt levels of the legacy carriers, have produced a devastating burden to current cash flows.

The financial crisis of the legacy network carriers is sufficiently dire that if they do not significantly reduce their costs, they will face bankruptcy, if not liquidation. It is reasonable to expect that one or more of these airlines will no longer be in business five years from now. Those carriers that can best manage to revamp their cost structure in a manner that allows them to compete at least at some level with the LCCs stand the best chance of survival. Continental and Alaska may be among the carriers better equipped to meet this challenge at present, while United, US Airways, Delta and American face much more significant obstacles.

Labor is the largest single expense for the airlines, representing 32 percent of total major carrier operating costs in 2004, and flight personnel make up the largest share of labor costs at 45 percent of the total for major carriers in 2004. Labor costs must therefore play an important role in any cost reductions. At the same time, the continued strong influence of labor unions in the industry, combined with relatively slow growth in the pilot population, will serve to limit declines in pilot wages. Taken together, these factors will likely produce the following developments in future pilot compensation:

- An overall reduction in the industry average value of total compensation across carriers;
- A convergence of wages between those historically offered by the legacy carriers and the LCCs, but with the average being closer to the LCC wage level; and
- A significant reduction in value of retirement benefits of the legacy network carriers, and the replacement of pension benefits with 401k plans combined with profit-sharing.

The seemingly inevitable structural adjustment in pension benefits brings with it important public policy considerations, particularly given the current financial health of the Pension Benefit Guaranty Corp. All of the stakeholders involved in this issue would do well to proactively address the problem in order to preserve the most options for resolving it. Likewise, the post-retirement benefit issue is directly related to the dramatic increase in health care costs generally, and thus may be most appropriately thought about in that broader context. Finally, given the current reality of the industry, contract negotiations would benefit greatly from a forward-looking perspective, rather than focusing on past concessions or financial performance. Competition in this industry will only increase in the future, and the lesson of the present is that those carriers that best prepare for the next market reality will be best equipped to provide competitive compensation in the long term.

## ADVANCES IN TECHNOLOGY ARE SHIFTING COMPETITIVE LANDSCAPE

As in all industries, the evolution of the airline industry has certainly been motivat-



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ed by technological change. And as in other industries, those firms most able to adapt to, and take advantage of, these changes will be best positioned to succeed in the future. Aviation is an extremely technology-intensive industry, so it's not surprising that nearly every aspect of the business has been affected by new or improved technologies.

The 1970s — the same period in which the U.S. domestic industry underwent the profound sea change of deregulation — also brought the introduction of aircraft automation, allowing large jet aircraft to be flown by only two crew members where three had previously been required. The following decade saw the introduction of fly-by-wire technology, which enabled the commonality of cockpits (and therefore pilot-type ratings) that is now standard in the development of modern jet aircraft.

The dawn of the 21st century has ushered in two further advances in aircraft technology that are likely to have a profound effect on the future of the industry. Together, these two changes have greatly expanded the range of aircraft technologies available to major airlines. Regional Jets, first introduced in the early 1990s, have seen more than a 300 percent increase in their use in just the last four years.

A combination of factors — consumer dislike of turboprops, the need to more precisely tailor capacity to demand, the desire of majors airlines to provide high-speed feeder service to their large hubs and aircraft economics — is behind this trend. Though they are more expensive to buy or lease than turboprops, RJs offer considerable operating-cost savings (on a per-trip basis) compared to larger jet aircraft. As a result, airlines are now deploying these aircraft as fast as the manufacturers can build them.

At the other end of the scale, the Airbus A380 represents the next generation of jumbo jet aircraft. The largest commercial transport ever developed, this aircraft promises one-third more passenger and freight-carrying capacity than the Boeing 747, the largest model now available, and increased operating efficiencies through reduced crew and fuel costs.

Just as advances in technology have allowed the airlines to reduce costs through improved operating efficiency, new technologies also are reducing selling and marketing costs. The Internet has radically and permanently changed the way airline tickets are sold. Online sales now represent 25 to 30 percent of all sales, including both airline Web sites and online travel agencies. Much of this increase has come at the expense of small travel agents, many of whom have either closed or suffered financially.

While the very large corporate travel agencies have managed to survive this change, they've also had to reinvent the way they do business. Airlines have capped or eliminated standard commissions for travel agent sales, so these companies must negotiate deals with the airlines that provide them with fees only when certain minimum sales thresholds are met.

**"AS IN ALL INDUSTRIES, THE EVOLUTION OF THE AIRLINE INDUSTRY HAS CERTAINLY BEEN MOTIVATED BY TECHNOLOGICAL CHANGE. AND AS IN OTHER INDUSTRIES, THOSE FIRMS MOST ABLE TO ADAPT TO ... THESE CHANGES WILL BE BEST POSITIONED TO SUCCEED IN THE FUTURE."**

Advances in information technology also have affected the very motivation for air travel itself. The technology behind electronic conferencing services (teleconferencing, videoconferencing and Webconferencing) is now sufficiently mature as to make it a potential alternative to some forms of business travel. The use of conferencing services and the associated purchase of conferencing infrastructure has been increasing rapidly in the last few years, and this trend is expected to continue. At the same time, advances in computers and information technology more generally have made the dispersed operation of business increasingly feasible, thus providing businesses with further motivation to re-examine the nature and extent of their need for air travel.

## REGULATORY CHANGES CONTINUE TO INCREASE COMPETITION

The global airline industry remains a highly regulated enterprise, and this is still true even in the United States. Safety and the environment, for example, remain important avenues of government oversight in nearly every corner of the aviation business. But just as the business of aviation has changed over the years, the nature and extent of its regulation has evolved to keep pace. Before deregulation in 1978, the Civil Aeronautics Board exercised control over both which routes carriers could serve and the fares they could charge. This regulation was designed to ensure a sufficient level of service for passengers and provide a reasonable rate of return for the airlines. Deregulation was intended to bring about more consumer choice and lower prices through increased competition.

On balance, these results have been achieved, but competition in the industry continues to be regulated, either explicitly or implicitly, in several important respects. The authority to serve international routes is still governed largely by bilateral treaties between nations, and in the United States, the Department of Transportation determines which carrier can serve a route once such treaties have granted the authority. Likewise, any proposed merger, acquisition or large-scale sale of assets that might result from liquidation would be subject to federal government review and approval. Indeed, even marketing alliances between carriers are subject to regulatory approval because of their potential impact on industry competition.

## BUSINESS TRAVEL UNDERGOING A FUNDAMENTAL REORIENTATION

Even before the terrorist attacks of Sept. 11, 2001, business had begun to deteriorate for the major airlines. Air travel was down, and the effect of this decline was beginning to be felt on airlines' bottom lines, with a number of carriers posting losses by the fourth quarter of 2000.



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Perhaps precipitating this result was the fact that unrestricted airfare, particularly for transcontinental travel, had reached record levels, and business travelers (or the travel departments at the companies where they worked) had begun to balk at these high prices. Some began buying restricted tickets (which in many cases were drastically cheaper), while others switched to discount carriers, which by that time were providing service in many of the same markets as the legacy network carriers.

Immediately after 9/11, air travel fell off markedly, and this decline was disproportionately made up of business travelers. Despite the fact that total air traffic has now returned to pre-9/11 levels, the amount of business travel has not. At the same time, the price transparency provided by Internet travel agencies and airline Web sites has given business travelers greater access to the lowest available fares. And the increasing availability of high-quality electronic conferencing services has provided a viable alternative for some business travel. In response, the legacy network carriers have begun to negotiate more and increased corporate travel discounts, which — though it may have helped retain some passengers — nevertheless has had a further deleterious effect on pricing. Taken together, these changes have meant that business travelers are simply no longer providing the high yields that are central to ensuring the financial viability of the legacy network carrier business model.

**PRICE NOW DICTATED BY LLCs**

The now well-known hallmark of the LCCs is their low fares, and these fares are not simply lower than those traditionally charged by the network carriers, they are substantially *less*. LCCs have been around since before the dawn of deregulation (Southwest was founded in 1971, for example), but the extent of their influence on industry-wide pricing is a much more recent development. LCCs now are able to set the competitive pricing standard because, for the first time, they have a commanding market presence.

Prior to deregulation, both the level of fares and the routes on which each carrier was allowed to operate were regulated by the Civil Aeronautics Board. Under this system fares were set ostensibly based on the carriers' costs, plus a reasonable rate of return. At least to some extent, increases in wages could be passed on to customers. The level of wages negotiated during the regulated era thus set the "initial conditions" for subsequent negotiations in the deregulated market environment. No such prior expectation existed for the LCCs, which came about in earnest in the post-deregulation period, and thus, although LCCs generally have unionized workforces (the one notable exception is jetBlue), LCC wages have generally remained lower than those of the legacy carriers for the last 25 years.

Even with the significant wage concessions negotiated since 2001 by the legacy carriers, average wages for pilots at the legacy carriers generally remain higher than those paid by the LCCs because legacy carriers generally have both larger aircrafts and a more senior workforce.

**"COLLECTIVELY, PENSION AND POST-RETIREMENT HEALTH CARE BENEFITS REPRESENT A $33 BILLION OBLIGATION FOR THE LEGACY NETWORK AIRLINES. ON AN ONGOING BASIS THIS ADDS A DEVASTATING BURDEN TO CURRENT CASH FLOWS."**

**A RETIREMENT TIME BOMB**

The legacy network carriers have historically offered both valuable defined benefit or pension plans and post-retirement health care benefits. By contrast, none of the LCCs provide either of these benefits. Another legacy of the regulated era, the network carriers began offering these benefits at a time when fares could be set according to costs, thus guaranteeing sufficient income to fund them. There was little external pressure to keep costs low or negotiate a hard bargain with their employees and unions.

The pension plans of the legacy network carriers are now in deep financial trouble. Traditionally, these plans were in good financial health as airlines used conservative estimates of the plan assets and liabilities and funded any shortfall in the plans with periodic infusions of cash. However, as financial pressures on the legacy carriers rose, they were forced to place some of the assets in riskier securities in the hope of making a healthier return and reducing their own funding obligations. However, a rise in the number of retirees in some airlines, coupled with low interest rates and a depressed stock market, resulted in a funding gap which has grown to massive proportions since 2000.

Collectively, pension and post-retirement health care benefits represent a *$33.4 billion obligation* for the legacy network airlines. On an ongoing basis this adds a devastating burden to current cash flows. For United, the projected pension obligation itself added to payments of more than $1 billion a year and is comparable to the operating loss for FY 2004 of $1.2 billion.

In sharp contrast, the low-cost carriers generally do not have defined benefit plans or post retirement health care benefits. They have chosen to offer defined contribution/401k plans, combined with profit sharing plans, which have a much lower overall cost to the airline.

**UNPRECEDENTED CHALLENGES HAVE BUFFETED THE INDUSTRY**

The last four years clearly have been among the most challenging in the history of commercial aviation. The terrorist attacks of 2001 dramatically depressed an industry already suffering from a stagnating economy, and these events were followed by both the outbreak and spread of Severe Acute Respiratory Syndrome (SARS) to several countries and a major military conflict in the Middle East. And oil prices have skyrocketed, most recently surpassing $55 per barrel, which has dramatically increased fuel costs for those carriers that hadn't sufficiently hedged in advance (an industry maxim holds that profitability is impossible, regardless of other market conditions, when oil prices exceed $31 to $33 per barrel).

These significant demand-side shocks



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are accelerating change in the airline industry, coupled with the impact of the other forces described above.

**WHICH CARRIERS WILL STILL BE IN BUSINESS?**

By contrast to the LCCs, which have remained consistently profitable over the last four years, the legacy network carriers have taken enormous losses (worldwide, the industry has lost more than $36 billion since 2001). These losses, combined with high debt levels and massive pension and retirement benefit obligations, make it very unlikely that these airlines will be able to generate sufficient cash to fund their ongoing operations absent significant changes in their cost and debt structures.

US Airways already has gone bankrupt, only to emerge with a number of significant remaining financial challenges, and then file for bankruptcy again two years later. United remains in bankruptcy at present, its future highly uncertain. American and Delta have been able to avoid bankruptcy by negotiating large labor-cost reductions with their unions, but they face both significant unfunded pension and benefit costs.

Notwithstanding the unprecedented financial challenges of the last four years, airline bankruptcies are not unusual in the post-deregulation era. In fact, the U.S. airline industry has seen approximately 150 bankruptcy filings in the last 25 years, an average of almost six per year. These results suggest that the current period, like previous difficult periods in the history of the industry, may produce further bankruptcies, liquidations or other forms of consolidation (Eastern was liquidated in 1991, and more recently TWA was acquired by American after filing for bankruptcy for a second time in 2001).

The financial crisis of the legacy network carriers is sufficiently dire that it is reasonable to expect that one or more of these airlines will no longer be in business five years from now. Those carriers that can best manage to revamp their cost structure in a manner that allows them to compete at some level with the LCCs stand the best chance of survival.

The LCCs, as a group, are so financially healthy at present and are so well-positioned that it's hard to imagine that any of them would not still be in business five years from now. With the exception of America West, they have relatively little debt, their capital costs are relatively low, they have been growing and profitable during the last four years — a traumatic period for much of the rest of the industry. Most importantly, they face no future pension and post-retirement benefit liabilities that would threaten their cash position. Given these considerations, it's quite likely that at least the largest of these carriers will still be operating 10 years from now.

The major all-cargo carriers (FedEx and UPS) have remained relatively healthy despite the industry turmoil of the last few years and are poised to remain profitable going forward. Their long-term debt is quite small compared to their market capitalization, and though they do face unfunded pension and post-retirement liabilities, they are more manageable than those of the other majors, particularly given their better cash position and much lower cost of capital. These carriers now dominate a global industry expected to continue its rapid growth well into the future, and they will likely be in business for years to come.

**WHAT IS THE LONG-TERM OUTLOOK?**

It has been observed by analysts that the airline industry as a whole has generally failed to earn its cost of capital since deregulation. Of course, this observation ignores the fact that individual carriers have provided significant rates of return over much shorter periods, and that certain carriers have had much higher rates of return than others, some for extended periods.

In the short term, regardless of the other additional cost savings that legacy network carriers are able to achieve, whether from renegotiated labor contracts or otherwise, recovery in the industry is highly unlikely without a significant drop in oil prices. And many analysts don't see this happening anytime soon. Any worsening of the national or global economy would likewise make recovery in the short term impossible, given that industry profitability is so closely tied to travel demand, which in turn is driven primarily by economic conditions.

Notwithstanding the economic conditions and financial crisis of the last three years, however, the long-term outlook for global aviation remains strong. There is wide agreement among manufacturers, industry analysts, aviation organizations and government agencies that both air travel and air cargo will continue their trend of growing faster than the rate of overall economic growth over the next two decades.

To learn more, go to:
**http://tnr.com/panel/tnr_on.mhtml**

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the two is a difference in degree so great it is essentially a difference in kind. The Democratic Party's capacity to raise money from, and provide favors to, business has always been limited by its alliance with other interest groups—labor, environmentalists, consumer groups—largely hostile to business. Liberals have traditionally seen K Street as an impediment to their agenda, even when Democrats controlled the White House and Congress. In 1979, Michael Kinsley wrote in these pages about liberal Democrats (he took the example of famed New Dealer–turned–lobbyist Lloyd Cutler) who sold out to illiberal business interests:

> The more sympathetic you seem to the general cause of progressive reform, the more sympathetic legislators and regulators will be to your suggestions for "compromise" or "delay" in a particular case. So the best Washington lawyers are ones with long and varied experience in government, lots of friends who are still there, and sterling liberal credentials. Such highly polished souls do not come cheap.

Contrast Kinsley's sentiment with that expressed in a recent column by Tony Blankley, the *Washington Times* editorial page editor and a former spokesman for Newt Gingrich. "In a thousand ways that are hard to publicly spot," writes Blankley in an impassioned defense of DeLay, "the K Street effort helped all Republicans win elections, pass legislation they believed in and generally govern the country." Democrats often worked at cross-purposes with K Street. (Sometimes the two were at war, such as when business lobbyists helped kill Clinton's health care reform in 1993–1994.) Republicans, with their inherent mistrust of taxes and regulation, would have enjoyed friendlier relations with K Street no matter what. But the distinct contribution of big-government conservatism has been to cement an alliance between the two, to the point where the line between party and private interest has all but disappeared.

You simply cannot make big-government conservatism work without people like Abramoff and DeLay. News accounts have focused on Abramoff's personal lucre. But much of the money he wheedled from his clients did not go into his own pockets. He directed it instead to various financial cogs in the GOP machine—candidates, foundations, and think tanks (see "Writers' Bloc," page 27). His role was to find business interests—be they Indian casinos or sweatshops in the Northern Mariana Islands—whose profitability depended on Washington, and turn them into paid-up clients of big-government conservatism. As lobbyist and GOP operative Grover Norquist told *National Journal* ten years ago, "What the Republicans need is 50 Jack Abramoffs. Then this becomes a different town."

DeLay, meanwhile, took it as his role to discipline K Street. He famously kept a list dividing lobbyists into "friendly" and "unfriendly" categories based on the partisan loyalty of their donations, threatening those in the latter category to throw themselves wholly into the GOP camp. "If you want to play in our revolution," he notoriously warned, "you have to live by our rules." His close alliance with lobbyists forced DeLay to tiptoe so lightly along the line of legality that he was bound to cross it eventually. Most of the DeLay scandals—a memo suggesting he made promises to a company called Westar Energy Inc. in return for donations; members of his staff's (almost certainly) illegal funneling of corporate money into Texas races; his acceptance of prohibited gifts from lobbyists—stem from his efforts to build and operate a patronage machine for his party.

Whatever rules or laws DeLay may have broken were premised on the assumption that there is a distinction between the interests of elected officials and the interests of corporations and their lobbyists. It's no surprise that he lost sight of that distinction. In his world, it had long ago ceased to exist. ■

## Abramoff's shadow lobby.

# Writers' Bloc

BY FRANKLIN FOER

In August 1997, House Majority Leader Tom DeLay traveled to Russia in the company of his frequent companion, the now-infamous lobbyist Jack Abramoff. For six days, he huddled with government ministers and oil executives and golfed at the Moscow Country Club. Any pleasant memories of this tour of post-communist prosperity, however, have surely vanished. The trip now threatens the Texan's political career and has placed Abramoff at the center of congressional inquiries. DeLay, though, was not the only prominent conservative to see Russia the Abramoff way. Two months before DeLay touched down there, Abramoff's firm shepherded a contingent of Washington journalists and thinkers around Moscow—an itinerary of meetings and meals designed to please the trip's funder, a Russian energy concern called NaftaSib. This journey included Tod Lindberg, then-editor of *The Washington Times* editorial page; *Insight* magazine's James Lucier; and Erica Tuttle, *The National Interest*'s assistant managing editor at the time.

Such trips were essential prongs of Abramoff's lobbying campaigns. The conservative movement's think tanks, newspapers, and little magazines are filled with junketeers who have traveled the world on his dime. "It was like, you weren't cool if you didn't go," remembers Marshall Wittmann, former legislative director of the Christian Coalition. And that's precisely as Abramoff planned it. In a draft of a 2000 proposal to represent the Malaysian government, he and his colleagues boasted, "Our firm is one of the most expert in organizing effective trips to distant destinations, having already brought literally hundreds of such notables

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[as think-tank scholars and journalists] to destinations ranging from Pakistan to Russia to Saipan and within the U.S. mainland." They told the Malaysians that these trips produce a "certain outcome": "timely and powerful editorials and articles" conveying his clients' messages. "Our firm has facilitated hundreds of such articles and editorials."

It's one thing to imagine that politicians, with their need for campaign cash, could be swayed by a lobbyist. Journalists and intellectuals, on the other hand, even those who admit their ideological predispositions, aren't supposed to be so susceptible to influence-peddlers. Abramoff, however, proved otherwise. He understood how the universe of thinkers and activists associated with the Republican Party operated, how to manipulate them with ideological buzzwords, and how to influence them with access and money. Jack Abramoff didn't just corrupt Tom DeLay. He helped corrupt the whole conservative movement.

ABRAMOFF WAS PERFECTLY poised to accomplish this feat. In large part, that's because, 25 years ago, he befriended the man who became one of the movement's field marshals, Grover Norquist. In 1980, the two teamed to organize Massachusetts campuses for the Reagan-Bush campaign, helping bring home Ted Kennedy's state for the Gipper. The following year, Norquist ran Abramoff's triumphant nationwide campaign for chairmanship of the College Republicans. They owed their bond to a shared affinity for bomb-throwing, hardcore conservatism. At College Republicans, they instructed organizers to memorize a speech from the movie *Patton*. Only, they insisted that their minions replace references to Nazis with references to Democrats. As in, "The Democrats are the enemy. Wade into them! Spill their blood! Shoot them in the belly!"

Despite this penchant for partisan bloodlust, Abramoff left Washington in the mid-'80s and remade himself as a movie producer. It wasn't until 1994 that he returned to the capital to join a lobbying practice—a return that happily coincided with the Gingrich revolution. For an aspiring lobbyist like Abramoff, it helped hugely to have such a strong tie to Norquist, who, by that time, had established Americans for Tax Reform (ATR), a group dedicated to imposing the conservative economic agenda on the Republican Party. As Newt Gingrich's protégé, Norquist shaped the strategy that guided the GOP's unlikely ascendance, and, in the process, acquired enormous power. He presided over packed weekly meetings that served as the movement's nerve center, where such disparate groups as the Christian Coalition and the National Rifle Association coordinated their efforts.

Abramoff understood the potential value of these meetings to a lobbyist. They were his ultimate gateway to the right, an opportunity that he exploited masterfully. The textbook example involved the Commonwealth of the Northern Mariana Islands (CNMI). An archipelago of Pacific islands captured by the United States in World War II, the CNMI acquired a unique status in the U.S. economy. Even though U.S. labor and minimum wage laws didn't apply in the CNMI, manufacturers had permission to stamp CNMI products with MADE IN THE USA labels and to evade trade quotas. Taking advantage of this loophole, Chinese entrepreneurs flocked to the island, bringing with them 32,000 workers, many of them indentured and forced to live in horrifying camps. According to a 1997 federal report, "Violations of labor standards and other abuses appear common. ... Chinese contract workers allegedly work under 'shadow' contracts signed in their home country that subvert their rights under the U.S. Constitution. ... Foreign contract workers report being victims of such crimes as rape, assault, and forced prostitution by those who have recruited them to work in the CNMI." To protect the $1 billion per year garment industry and stave off legislation that might correct some of these conditions, the CNMI and its business interests hired Abramoff in 1995, paying him more than $7 million over the next seven years.

It's hard to imagine that the Islands would be worthy of a conservative crusade. Yet Abramoff, with Norquist's help, managed to make the Marianas a right-wing cause célèbre. Patrick Pizzella, a lawyer at Abramoff's firm, Preston Gates, paraded a string of Marianas functionaries through the Wednesday meetings. "It felt like you couldn't avoid them," says Wittmann. According to one conservative journalist, Norquist would use the meetings to extend invitations for Abramoff-arranged junkets to the CNMI. In the end, more than 100 Hill staffers, journalists, and think-tank denizens attended such trips—from the editorial writers of *The Washington Times*, to the managing editor of *The Public Interest*, to the staff of the Traditional Values Coalition. And, after spending a few days at a beachfront Hyatt resort and touring the Islands, those conservatives came back to town and churned out agitprop. Writing in *The American Enterprise*, Ron Bailey pronounced the Islands "a true free market success story." The Cato Institute's Doug Bandow called them a "laboratory of liberty." The Heritage Foundation's Daniel Mitchell decried the proposed regulations as the "modern siege of Saipan." Clint Bolick, a school vouchers proponent, touted the Islands in columns for *The Wall Street Journal* and *Human Events*.

There is, indeed, a libertarian case to be made for the CNMI's exemption from federal regulation, although it's hard to imagine such a case attracting so many fervent believers. The Mississippi Band of the Choctaw Indians, another Abramoff client, is an entirely different story. While the Choctaw have built casinos and attracted manufacturing, they have also masterfully lobbied for federal money. According to the best estimates, the tribe receives approximately $50 million per year. This cash has gone toward the creation of a quasi-socialist society, providing free college educations and computers and semi-annual payments of $500 to every tribe member. It's exactly the type of government spending conservatives decry. The Choctaw did, however, believe in one libertarian goal: They didn't want the federal government to tax their lucrative casinos. So they hired Jack Abramoff to press their case.

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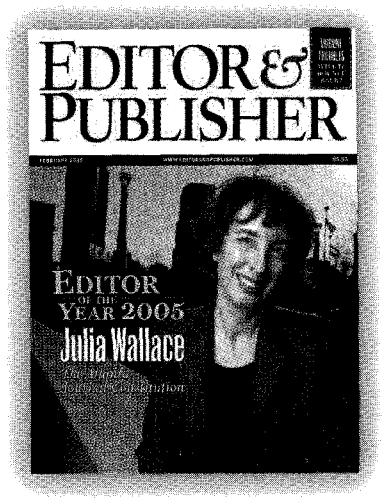


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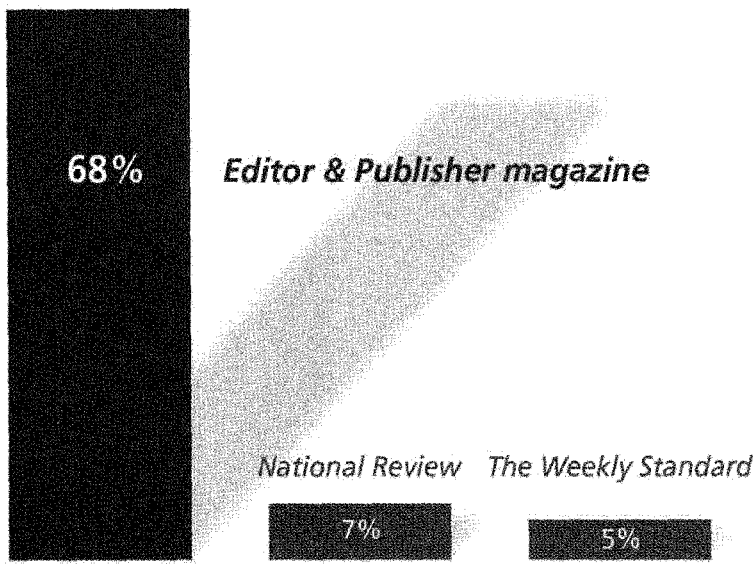


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In the first six months of 1999 alone, the tribe paid his firm $2.3 million. And he didn't just earn money for himself. He boasted to the *Journal*, in 2000, that the Choctaw had scattered millions across the conservative movement, with ATR as a "leading recipient." Or, as Abramoff and his associates artfully noted in a 2002 letter to the Saginaw Chippewa tribe, "Americans for Tax Reform is respectfully requesting a contribution of $25,000 to fund organization activities that advocate Tribal sovereignty and prevention of unwarranted federal taxation of Tribal revenues." Indeed, ATR was ultimately able to look beyond any ideological qualms with the Choctaws' subsidized existence. In 1998, it awarded the tribe's chief, Phillip Martin, its Taxpayer Hero Award. The group published a 191-page hardbound book titled *The Choctaw Revolution*, portraying the tribe as loyal followers of Jack Kemp and Friedrich Hayek. And, according to the *Journal*, ATR organized a nationwide coalition of 500 groups to oppose the taxation of Indian gaming.

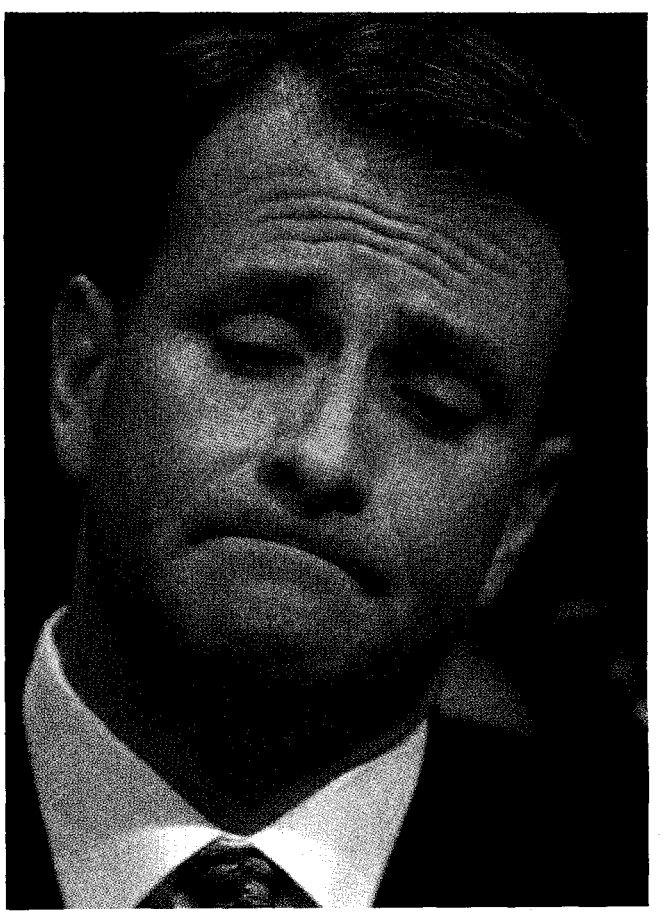
As money-for-influence scandals unwind, pundits usually invoke Deep Throat's famous aphorism, "Follow the money." But, to understand Abramoff's success, you must follow the byline. Seemingly every time Abramoff acquired a client, Norquist or ATR's chief counsel, Peter Ferrara, would write a *Washington Times* column making that client's case. In the mid-'90s, Channel One, a TV network beamed into schools, paid Abramoff several hundred thousand dollars. Meanwhile, Norquist argued, "Channel One has come up with a brilliant free-market innovation that can translate into lower taxes." In 1998, the Puerto Rican statehood movement shelled out $400,000 for Abramoff's services. That year, Ferrara made the conservative case for that client's cause: "Moreover, unlike the United States, Puerto Rico has school vouchers and school prayer. Polls indicate it would be another bastion for the religious right." After Abramoff reportedly began working with the Malaysian government, a Ferrara op-ed argued, "The U.S. should reaffirm its relations with Malaysia and collaborate closely with it in the global war against terror."

SUCCESSFULLY ENLISTING AMERICANS for Tax Reform and attendees of its Wednesday morning meetings to write on behalf of his clients' causes was an important accomplishment for Abramoff, but it was only half the battle. As every aspiring editorialist knows, it is one thing to submit a piece to a newspaper. It is another to see that piece end up in print. Opinion pages are deluged with solicitations, and they typically make an ethical point of rejecting pieces that shill for an author's client. So, to set Abramoff's accomplishment in relief, here are some raw data: Over six years, *The Washington Times* ran seven op-eds and four editorials making the case for preserving the CNMI's unique status; during that same period, four opinion pieces in the paper venerated the Choctaw Indians. (By contrast, *The Washington Post* ran a single column tangentially touching on the Marianas and nothing on the Choctaws.)

These totals may have less to do with the merit of the pieces than with Abramoff's courtship of the conservative press, especially *The Washington Times*. It is a courtship that, like his relationship with Norquist, started long ago. Under his tenure, the College Republicans bought several thousand copies of the 1983 cold war pulp thriller *Monimbó*, ostensibly to distribute across college campuses as propaganda that would buck up the anti-Soviet cause. But, in truth, the books languished in boxes in a basement. Why would Abramoff buy so many books if he didn't intend to distribute them? Perhaps to ingratiate himself with *Monimbó*'s co-author, Arnaud De Borchgrave, an eminence of conservative journalism. Not long after Abramoff made his bulk purchase, De Borchgrave ascended to the editorship of *The Washington Times*. (He claims to have no knowledge of the purchase.)

Over time, Abramoff's media management grew more sophisticated, and he dispensed largesse across conservative journalism. His junkets didn't just comprise meetings and site visits, they also included plenty of recreation time. Trips to the Choctaw Reservation, for instance, featured gambling at the Silver Star resort and rounds on a lush new golf course. Clint Bolick recalls, "I left the trip early, because it seemed to be so much about golf and gambling, activities I'm not much into." As an artful Washington schmoozer, Abramoff would go even further that. One former *Washington*

*Jack Abramoff: Pied piper of the right.*



TOM WILLIAMS/ROLL CALL/NEWSCOM

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*Times* staffer told me that Abramoff's practice invited his family to watch the circus and a Bruce Springsteen concert from its box at the MCI Center. (By my count, six *Washington Times* editors and writers attended Abramoff trips.)

Abramoff spent so much time cultivating the press not because these op-eds had a demonstrable effect on policy, but because they served as tangible evidence to clients that he could influence opinion—and therefore justified his eye-popping fees. In correspondence with clients, he expended ink touting his op-ed trophies. Abramoff wrote in a 1995 fax to a Marianas official, obtained by the Associated Press: "The Ferrara article hit yesterday with great fanfare ... [M]y message counter was over the top with calls from Hill staffers saying they have seen the article." Abramoff's note goes on to describe the lobbyist's conversations with *The Boston Herald*'s Don Feder, "one of the nation's leading columnists." "We might have to arrange a phone interview for him. Please let me know, if I can offer such an interview." Before signing off, he announced that he was heading off to an event honoring Tom DeLay, "where I shall give him a copy of the [Ferrara] article!"

ABRAMOFF'S COLLABORATION WITH Americans for Tax Reform and compilation of clips, however, can't compare to his true masterwork of subversion, in which he took a legitimate conservative think tank and turned it into a front for his clients and his own financial chicanery. In fact, he moved so deftly that, for many years, nobody noticed his achievement, questioned the think tank's credibility, or stood in his way.

The National Center for Public Policy Research (NCPPR) began in 1982 as an earnest proponent of the Reaganite crusade against communism. As the group's co-founder and president, Amy Ridenour, described in an interview with *Insight* magazine, "The fact is that, back in those days, corporations and foundations were funding most of the conservative movement, and there was a tremendous bias in favor of concentrating on domestic policy tax issues, for example. It happened that mainstream foreign-policy issues were under-funded, so we took up foreign policy." Ridenour shared Abramoff's theatrical approach to politics, participating in street demonstrations and training students to heckle politicians. But the group was serious enough to attract grants from the Olin and Bradley foundations for meaty projects, such as a campaign to swing student opinion behind the anti-communist cause.

The end of the cold war deprived the NCPPR of its founding mission. It didn't, however, kill the group. Ridenour shopped around for new niches and found a large opportunity for growth in the battle against federal regulation. For think tanks like the NCPPR, the regulatory arena promised a pile of cash while posing an ethical conundrum about the surrender of intellectual and ideological independence. And yet, if they believed sincerely in free enterprise, then why shouldn't the NCPPR and others take money from specific firms to promote their specific regulatory battles? After all, they would have supported their goals anyway, wouldn't they? Ridenour decided there was no conflict. A 1995 memo from a Philip Morris executive obtained in the court battles against the tobacco companies describes how Ridenour contacted him, volunteering her group's services. "I just got a call from Amy. ... [We] are awaiting [her] proposals for use of an Internet website as an accessible repository of PM-related information." NCPPR might not have liked trial lawyers or anti-smoking groups any more than Philip Morris did. But it didn't hurt that Big Tobacco tended to send large checks to its defenders.

Jack Abramoff arrived back in Washington just as the NCPPR began getting comfortable in this anti-regulatory niche. Out of mutual necessity, Abramoff and Ridenour fell into one another's arms. Ridenour's group spent an enormous percentage of its resources on shrill direct-mail fundraising and needed cash to keep its operation running, while Abramoff needed an organization to sponsor junkets that congressional ethics rules prohibited him from paying for directly. The arrangement worked well for both parties. Abramoff's clients made stunningly large contributions to the NCPPR. The Choctaw, for instance, wrote a check for $1 million; an Internet gambling group in Gibraltar paid $1.5 million. In return for these contributions, the NCPPR carried Abramoff's water. It "sponsored" trips to the Marianas and Russia. On at least one occasion, Ridenour teamed with a lawyer from Abramoff's firm to press CNMI's case before a meeting of conservative foreign policy hands. She also proved to be a prolific publicist, writing her own copy extolling Abramoff clients like the Malaysian government and Channel One.

But this relationship ultimately took its toll, turning the group into something resembling a Bahamian bank account from which Abramoff could withdraw seemingly at will. In 2002, the NCPPR sent $450,000 to Abramoff's Capital Athletic Foundation, which, in turn, largely spent the money on a Rockville, Maryland, religious school he and his wife funded. Another $500,000 went to the p.r. firm owned by Abramoff's business partner, Michael Scanlon. The next year, NCPPR paid $1.28 million to a company called KayGold LLC, which, as it turns out, was owned by Abramoff. Confronted with these facts by *Newsweek*'s Michael Isikoff in March, Ridenour pleaded ignorance. Two years ago, she told Isikoff, she began worrying about Abramoff's transactions and asking probing questions about them. "We're disappointed and frustrated," she lamented.

A federal grand jury has already subpoenaed NCPPR's records. If prosecutors follow the news media's lead in their investigation of this scandal, they will focus overwhelmingly on illuminating the role of one man: Tom DeLay. He is, after all, the most powerful Republican on Capitol Hill. But, as maddening as it is to watch the venality of lobbyists and politicians, it is hardly unexpected. On the other hand, by waving cash and luxurious junkets in front of intellectuals, journalists, and activists, and watching them get snapped up, Abramoff has produced a far more tragic conclusion: He has exposed the corruptibility of true believers. ■

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# BOOKS & THE ARTS

## STANLEY KAUFFMANN ON FILMS

# Unspoken Love

THE TWO LEADING ACTORS OF **3-IRON** never speak a word. In this Korean film, we first meet a young man named Tae-suk, slender and supple as a dancer, who breaks into a number of comfortable homes when the owners are away but steals nothing; he simply lives there as long as he can, bathing and eating and watching television. As a sort of recompense, he washes soiled laundry that the owners have left; he repairs a broken scale, a broken clock. Then, when he sees that the owners are returning, he slips out, onto his motorcycle, and moves to another empty home. Since no one else is in these scenes, he never converses.

**3-IRON**
(Sony Pictures Classics)

At the very start he is hanging handbills of some kind on the front doors of houses. We wonder what the flyers say—until we see that it doesn't matter. If, in the course of a few days, he sees that the flyer has not been removed, he knows that the residents are away and he can enter.

We also wonder soon about the reason for his behavior. We are ready to treat it as a prankish aberration until he enters the home of a young married woman named Sun-hwa, whose husband is away. Tae-suk doesn't know at first that she is there: she hides from him, yet follows him about the house, fascinated. Since she is hiding, they don't converse either. Telephone messages inform us that her husband is desperate for her, that he is en route home and is longing for her despite the coldness with which she has been treating him. She, however, is fascinated by this silent precise intruder. Tae-suk wakes up in the middle of the night to find her standing by his bed staring at him. Even then they do not speak. Each simply accepts the other's presence, seems to want it.

Yet Tae-suk withdraws before the husband's return. When that husband appears, a middle-aged man whom Sun-hwa clearly dislikes, he tries to make love to her—against her will. (He is the kind of man, if there is such a kind, who keeps his glasses on when he is lovemaking, or attempting it.) Tae-suk intrudes to help Sun-hwa. Here comes the reason for the strange title, and the most chancy element in the story. Almost thoughtfully, Tae-suk takes a 3-iron from the husband's golf bag and drives golf balls into the husband's stomach, making him double over. This action risks the ludicrous, or would risk it if Tae-suk's behavior up to now had been conventional. With him, we can view it as an additional oddity. The husband of course remembers this treatment and later gets the chance to use it himself. (Golf and the driving of golf balls recur throughout the picture. Apparently Koreans have a passion for the game so strong that for them it has elements of a rite, and a golf club has an almost ceremonial glow.)

After the golf-ball drubbing, Tae-suk waits on his motorcycle outside Sun-hwa's home. She comes out and mounts the rear seat. Again nothing is said. They simply ride off together—to another empty house that he knows is waiting. The adventures continue.

The above details, incomplete though they are, may help to convey that Tae-suk and Sun-hwa meet and join in a mystical bond that contrasts with the city through which it winds. Their very silence helps to intensify the sense that they are dancers to a music that only they hear, gliding through the pedestrian everyday. They suggest visitants, figures in very real surroundings who are self-created abstractions. They live together like creatures who have been waiting for each other and understand that the world exists in order for them to disregard it, even though (the laundry, the clock repair) they understand it.

Matters darken when, in one home they enter, they find a body, an old man who has dropped dead. They wrap the body formally and bury it in the garden. The dead man's son comes looking for his father, finds the pair of intruders, and has them arrested. Sun-hwa is released to her husband, who takes her home. The police find the buried body. Tae-suk's confession of the body's whereabouts is not heard by us, although we see his beatings by the police. He is imprisoned.

Some of the film's most extraordinary sequences then take place in his cell. It is white, concrete, unfurnished. Yet Tae-suk finds ways to conceal himself, at least for a while, from his warder. These quasi-metaphysical sequences sustain his somewhat amused tolerance of the world as it is and his desire to become invisible in it.

An autopsy reveals that the old man died of natural causes, and Tae-suk is released. About the closing sequence I can say only that it takes place in Sun-hwa's home with her and her husband and with Tae-suk present yet not present. He and she will apparently have their own marriage even while the marriage to her husband goes on. Through the fidelity of Tae-suk and Sun-hwa to their own world, they have made a private union for themselves.

The insinuating quality of *3-Iron* is irresistible. For a while the picture seems to be only neat and clever. Even though it is distinguished from the start by the wraithlike black-clad body of Jae Hee, rippling through these houses as Tae-suk, the film seems not much more than a sophisticated twist on the general run of housebreaker films. But with the entrance of the equally tacit Sun-hwa (played by Lee Seung-yeon, who can speak with her countenance), the film stops being clever. It opens. What is being dramatized here is an attempt at otherness, a recognition of a private state of mind that may accompany us in our trudging dailiness and that we shunt aside so that we can carry on with the trudge. What presses Tae-suk and Sun-hwa is not

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just a hope for escape from the humdrum; it is fidelity to the private self. They want to live in some measure like others, but they want to feel untrammeled. They made me feel as if Ariel, released by Prospero, had found a mate.

This strangely enchanting picture, which takes its own good time to deepen, ingests the golf-club business and makes it a nod to the vernacular below. *3-Iron* was written and directed by Kim Ki-duk, now forty-four, who studied art in Paris and was a painter before he began making films in 1996. Most of his previous ten films have been featured in festivals around the world. This eleventh picture, with its ease, with its confidence, radiates talent fulfilled by experience. ■

# DAVID HAJDU ON MUSIC
# Heart Music

FIRST PUBLISHED 150 YEARS ago this summer, Walt Whitman's *Leaves of Grass* was always a work in progress—or a series of works that varied in character and grew exponentially in size over more than three decades, until the poet's death in 1892. The first edition, first published one hundred fifty years ago this July and something of a vanity project manufactured with typesetting assistance from Whitman himself, presented a dozen poems on ninety-five pages. The second, published fourteen months later, contained thirty-two poems. Over the next four years, Whitman achieved full bloom as a writer (and as a man, owing in part to a visit to New Orleans that inspired a set of fearless poems about same-sex affection), and he expanded his masterpiece to 156 poems, including revisions and new orderings of the earlier ones into thematic clusters. (The 1860 edition, arguably the richest of the lot, is no longer in print, despite the fact that the work has long been in the public domain and could be published cheaply.) Whitman would devote most of the rest of his years to reshaping and applying more clay onto this work cast from early life. By the last of the nine versions that he produced, the "deathbed edition" of 1892, *Leaves of Grass* included more than four hundred poems on more than seven hundred pages.

**FRED HERSCH**
**Leaves of Grass**
(Palmetto)

As a song of self, it sings of an epically mercurial and voluptuous spirit. For this reason, *Leaves of Grass* endures, while so much poetry beloved in this country during Whitman's lifetime—Joel Barlow's "The Columbiad," Timothy Dwight's "The Conquest of Canaan"—would strike us as derivative, precious, or stilted, if we could find copies to read today. Whitman's masterwork still speaks to us not least because it is among the most American of our books, not only for its much-vaunted evocation of democratic ideals, its celebrations of individualism and egalitarianism, and its quirky, vernacular radicalism, but also for the seeming inexhaustibility of its resources. It is boundlessly explicable. What better gift could a master explicator like Bill Clinton give his girlfriend than a copy of *Leaves of Grass*, which glorifies bedrock American principles at the same time that it glories in matters of the flesh? (In her thank-you note, Monica Lewinsky wrote that "Whitman is so rich that one must read him like one tastes a fine wine or good cigar—take it in, roll it in your mouth, and savor it!" But I digress.)

Composers since the turn of the last century have gone fishing in Whitman's well-stocked stream of verse. Initially condemned for blasphemy and indecency (he advanced a vague pantheism and reveled in all varieties of sensation), Whitman was a prototype of the American Artist Underappreciated in His Own Uncultured, Overly Puritanical Country But Recognized, Thank Goodness, by the Europeans. The latter drew often upon Whitman in their music, to challenge the entrenched orthodoxies of their own countries. Delius found kinship in Whitman's quasi-paganism and overt carnality, and set Whitman's poetry to music in three of his signature

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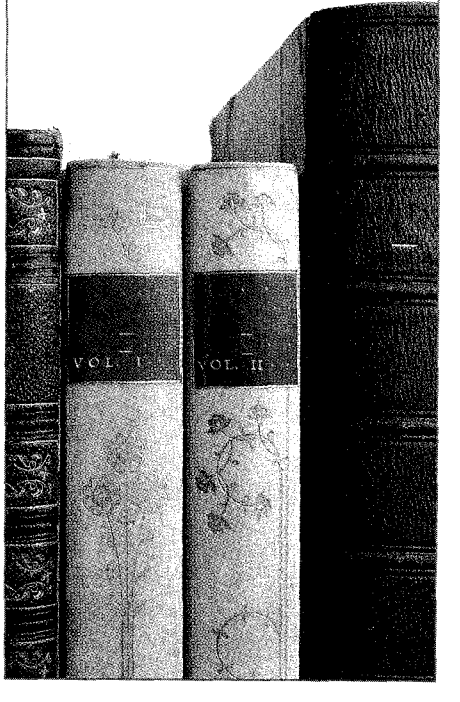


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pieces: *Sea Drift* (1904), *Songs of Farewell* (1930), and *Idyll* (1933, based on musical material from *Margot la Rouge* of 1902), all of which employ shifting layers of harmony to sweeping effect, an approach roughly parallel to Whitman's use of dense clusters of language. Vaughan Williams drew inspiration from the poet's erratic, seemingly spontaneous outbursts in his serpentine Whitman homages, *Toward the Unknown Region* (1907) and *Sea Symphony* (1910). Holst also wrote several good Whitman settings, including a lovely adaptation of Whitman's famous requiem for Abraham Lincoln, "When Lilacs Last in the Dooryard Bloom'd," which Holst treated as an elegy for fallen veterans of World War I. And in the era of the next war, the German-born composers Kurt Weill and Paul Hindemith (musicians with vastly different aesthetics) both marked their relocation to the United States by writing pieces set to the verse of Whitman; the poet's iconoclasm, defiance of prevailing mores, and sheer Americanness seemed to reinforce their rejection of fascism. (Weill, following Holst, adapted one of Whitman's Civil War poems, "Drum Taps," to memorialize victims of World War II.)

WITH THE EMERGENCE OF the postwar avant-garde in the years to follow, Whitman surfaced again, this time as the spiritual father of American bohemia, a proto-modernist. In 1957, Ned Rorem composed a set of angularly lyrical art songs to Whitman's verse, and in 1976 George Crumb revisited the durable "Lilacs" poems, in *Apparition*, setting them to a suite of bold, tonally venturesome works for voice and modified piano. (Four Rorem tunes, as well as select Whitman settings by Vaughan Williams, Weill, Hindemith, Ernst Bacon, and others appear in uniformly fine renditions by the baritone Thomas Hampson, accompanied by Craig Ruttenberg, on the album *To the Soul: Thomas Hampson Sings the Poetry of Walt Whitman*, from EMI Classics.) More recently, Whitman's vast output has been mined for its evocation of what Whitman called "manly attachment." He hinted at the theme here and there in his work, but dealt with it squarely in the "Calamus" (or "Live Oak, With Moss") poems inspired by his New Orleans jaunt—work once considered scandalous, now heroic. In 1993, Michael Tilson Thomas composed a delicate, pretty song, "We Two Boys Together Clinging," set to a excerpt from "Calamus":

> We two boys together clinging,
> One the other never leaving....
> Arm'd and fearless, eating, drinking,
> sleeping, loving,
> No law less than ourselves owning...

All told, no fewer than five hundred musical compositions, works varying widely in style, scale, and intent, have been set to Whitman's words, most of them drawn from the eight versions of *Leaves of Grass*, and more Whitman-inspired music keeps appearing. (Even Madonna has written a song quoting Whitman, her melodramatic "Sanctuary." But I digress again.) "The proof of the poet is that his country absorbs him as affectionately as he has absorbed it," Whitman wrote in the preface to the 1855 edition of his epic. The musical landscape's capacity to absorb Whitman remains considerable, and *Leaves of Grass* is, musically speaking, still very much a work in progress.

AS ONE MIGHT EXPECT FROM the author of American poetry's democratic manifesto, Whitman was a public champion of homegrown American sounds. He served for some time as a newspaper music critic, and he used his forum to argue the superiority of just-emerging modes of American folk music over traditional forms of Western music. In a way, he declared the culture wars a hundred years early, advancing "heart music" (earthy, declarative, informal, American) over "art music" (refined, urban, formal, European). Lauding one of the many family vocal groups popular in the decades before the Civil War, Whitman praised the music as "simple, fresh, and beautiful." He added: "We hope no spirit of imitation will ever induce them to engraft any 'foreign airs' upon their 'native graces.'"

He liked minstrel shows, too, identifying in them a high level of artistry for a "low" form of popular art. As he wrote about one minstrel group (no doubt white performers in blackface, although African Americans also participated in minstrelsy, essentially parodying whites parodying them) in a review titled "True American Singing," "Their negro singing altogether proves how shiningly golden talent can be spread over a subject generally considered low. Singing with them is a subject from obscure life in the hands of a divine painter: rags, patches, and coarseness are imbued with the great genius of the artist, and there exists something really great about them."

Whitman absorbed a great deal of music in his lifetime, and he noted in his maturity that his youthful musical encounters informed his writing deeply. As he told his late-life friend Horace Traubel (who compiled the poet's reminiscences in *With Walt Whitman in Camden*), "My younger life was so saturated with the emotions, raptures, and uplifts of such musical experiences that it would be surprising indeed if all my future work had not been colored by them." *Leaves of Grass*, in Whitman's own view, was indebted to the Italian operas that he came to love in the decade prior to the book's first publication. "But for the opera," he said, "I could never have written *Leaves of Grass*."

HE WAS REFERRING IN THIS instance not to the opulent emotionality of Italian opera, an obvious corollary to Whitman's poetry, but to the flexibility of recitative, opera's freedom to dispense with rhyme and the metrical patterns of traditional song. But the music of Whitman's verse begs other analogies as well. It in its jagged, erratic lines, its unpredictable swoops and sudden eruptions, *Leaves of Grass* anticipated Charlie Parker as much as it reflected Rossini.

How strange that *Leaves of Grass* inspired no major work in the jazz idiom, at least none that I know of, until now. The composer and pianist Fred Hersch has written a glorious new setting of excerpts from the book, which I recently heard performed by the composer and a seven-piece chamber-jazz ensemble at Zankel Hall in New York. (Hersch and his group have been touring the piece to support its CD release by Palmetto Records.) Whitman's idiosyncratic poetry certainly seems more suitable to the improvised spontaneity of jazz than it is to, say, the noble anglicism of Vaughan Williams or the rigorous intellectualism of Hindemith. Indeed, one of Whitman's hallmarks is that his poems are not primarily intended to describe phenomena; they are phenomena. Their function is not merely interpretive: they are put forth as objects for our interpretation, much as a jazz solo is not just the performer's rendition of a composition, but a composition itself.

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Structurally, too, many of Whitman's poems employ the same form as jazz pieces geared for jamming. A poem will often begin with a line stating the theme or subject—the "head," in jazz lingo—and then launch into elliptical development of that theme. Digressions are as welcome as conventional development. Details transcend the plan.

HERSCH, WHO IS GAY, HIV-positive, and fed up with habitually being described as such, has said that he was drawn to *Leaves of Grass* for the centrality of the moment in Whitman's aesthetic. "It has nothing to do with Whitman being gay and me being gay or any of that shit," he has remarked. "Life is change, and the only thing we have is this moment." (The latter thought does seems connected to the fact of Hersch's living with HIV, as well as to his Buddhist faith.) His *Leaves of Grass* has a spark, a joy taken in its own being, that honors Whitman as it salvages the work from the banality of serving as a monument to him. It makes no effort to be monumental in the grand, symbolic, official, gray-poured-concrete sense. Yet, in its unaffected surety and easy-flowing originality—its fealty to the minute-by-minute impulses of a gifted composer who loves to improvise—it is a magnificent achievement.

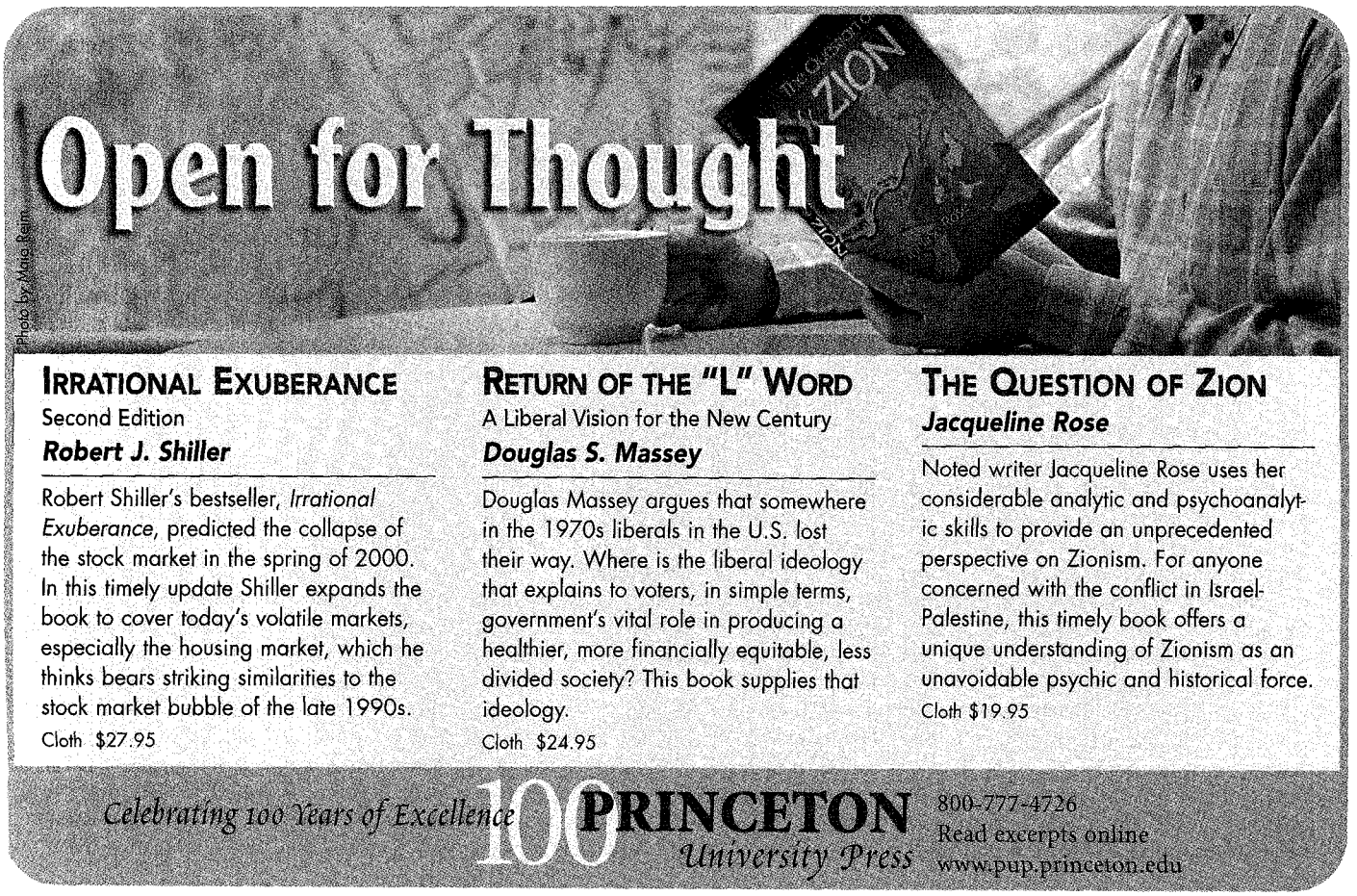
Since he was composing an "evening-long" work from a lifelong endeavor, Hersch had to edit mercilessly. He used about 0.5 percent of the text at his disposal, by my own rough math, and his choices are telling. With the exception of the essential "Song of Myself," he passed over Whitman's best-known poems, such as "Lilacs" and "O Captain, My Captain," and he used none of the many poems about the Civil War and New York City (also Hersch's home). There seems no scheme to Hersch's selections other than his personal taste—the most appropriate criterion for doing Whitman justice—and an evident intent to veer the core idea of self toward the universal.

The self that Hersch's setting of *Leaves of Grass* celebrates is a composite of Whitman, Hersch, and a conception of the universal self that Hersch extracts from the text and accentuates through the music and the organization of materials. While Whitman began the first edition of his book with "Song of Myself," the indelible birth cry of the American ego, the first poem in Hersch's setting is "Song of the Universal":

> Come said the Muse.—
> Sing me a song no poet has yet chanted.
> Sing me the universal.

Hersch repeats the passage four times (Whitman used it once), and he has it sung by Kate McGarry, a versatile singer with a gentle, lilting, reedy voice—the kind we tend to associate with Irish folk songs and their funny stories about rural life and death.

Hersch employs two vocalists, McGarry and the jazz singer Kurt Elling, each to distinct effect. McGarry generally handles the transcendental and agrarian stuff; she is more prominent in the second half of Hersch's work, which grows progressively more intimate and ruminative—it gets freer in mode and calls for more instrumental improvisation. Elling takes care of the robust American self-projection that opened

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Whitman to charges of ungentlemanly arrogance in his day. (Whitman relished the criticism and asked for more by publishing harsh reviews of his book as appendices to some editions of *Leaves*.) "When you're singing lines like 'I celebrate myself' and 'I sing myself,' you have to own it," Hersch has said. Elling owns it; he has a steely baritone voice and good range, which he stretches to impressive effect through the force of will that infuses most of his singing. In Elling's hands, a great many lyrics communicate self-celebration. Still, much to his credit (and, presumably, Hersch's), Elling taps unexpected resources of grace and subtlety at points in *Leaves of Grass*, such as the segment titled "A Child Said, 'What Is the Grass?' "

Wisely, Hersch does not employ a period idiom; he refers to nineteenth-century music (marches, fanfares, folk tunes) sparingly, with incidental gestures. Hersch's *Leaves of Grass* is utterly contemporary in feeling and wholly in keeping with his past work. Its debts are evident: Brazilian jazz, Monk, the harmonic concepts of both Bill Evans and Herbie Hancock; but the music is distinctively Hersch's—unabashedly passionate, rich as marzipan, and always swaying, sort of dancing to itself. As Whitman does with his poetry, Hersch uses accessible musical language that belies sophisticated, complex ideas. Under the gorgeous melodies McGarry and Elling sing in pieces such as "After the Dazzle of Day" lie puzzle patterns of harmony.

I love this piece of music, but I find it disappointing in one way. The unnerving charm of the early versions of *Leaves of Grass* is their perplexity—the disorder of the poems, their aimless and inexplicable digressions. I would have liked to hear a bit of that Whitman too, to have his brilliant indulgence also translated into jazz. Then again, I can always play a Coltrane record. ■

*James Wood*

# The Human Difference

NEVER LET ME GO
By Kazuo Ishiguro
*(Alfred A. Knopf, 287 pp., $25)*

WORKS OF FANTASY OR science fiction that also succeed in literary terms are hard to find, and are rightly to be treasured—Hawthorne's story "The Birthmark" comes to mind, and H. G. Wells's *The Time Machine*, and some of Karel Čapek's stories. And just as one is triumphantly sizing up this thin elite, one thinks correctively of that great fantasist Kafka, or even of Beckett, two writers whose impress can be felt, perhaps surprisingly, on Kazuo Ishiguro's new novel. And how about Borges, who so admired Wells? Or Gogol's "The Nose"? Or *The Double*? Or *Lord of the Flies*? A genre that must make room for Kafka and Beckett and Dostoevsky is perhaps no longer a genre but merely a definition of writing successfully; in particular, a way of combining the fantastic and the realistic so that we can no longer separate them, and of making allegory earn its keep by becoming indistinguishable from narration itself.

*Never Let Me Go* is a fantasy so mundanely told, so excruciatingly ordinary in transit, its fantastic elements so smothered in the loam of the banal and so deliberately grounded, that the effect is not just of fantasy made credible or lifelike, but of the real invading fantasy, bursting into its eccentricity and claiming it as normal. Given that Ishiguro's new novel is explicitly about cloning, that it is, in effect, a science fiction set in the present day, and that the odds against success in this mode are bullyingly stacked, his success in writing a novel that is at once speculative, experimental, and humanly moving is almost miraculous.

The novel is narrated, with punitive blandness, by a woman named Kathy. It begins: "My name is Kathy H. I'm thirty-one years old, and I've been a carer now for eleven years." It maintains this tone of pristine ingenuity for almost three hundred pages. Kathy's story is about a private boarding school she attended called Hailsham, in the English countryside, and in particular about two close friends, Ruth and Tommy. It becomes clear enough that although the novel is set in the late 1990s, it inhabits a world somewhat adjacent to the one we know. Kathy refers to "donors" (her present job as a carer seems to involve looking after these donors); the school she is reminiscing about does not seem to have had teachers but "guardians." These guardians appear to be human beings like you and me—they are referred to by the pupils as "normals." But the children they look after are not normal: the girls, for instance, will never be able to have babies, and all the pupils appear to be destined not to join ordinary life when they graduate, but to become "donors" and to lead abbreviated, highly controlled adult lives.

REVIEWS OF THIS SINGULAR novel have tended to stress the first-stage detection involved in reading it; whereas Ishiguro, as ever, is interested in far foggier hermeneutics. That is to say, in this novel of exquisite occlusions, the question of who these children are and what their function is in modern society is never very deeply withheld. By the hundredth page or so, even if we had not divined it much earlier, we realize that Hailsham is a school of cloned children, created in order to provide top-notch organs for donation to normal, uncloned British citizens. At the age of sixteen, the children will leave Hailsham, spend some time in an intermediate establishment, and then get "called up." All will first be chosen to be carers, their task to look after an assigned donor; some, like Ruth and Tommy, will be swiftly requested for donation: perhaps a kidney or a lung will be removed. In the course of their fourth donation they will "complete"; they will die.

To be sure, Ishiguro wants to ration the pace at which we receive this terrible information, but that is because his real interest is not in what we discover but in what his characters discover, and how it will affect them. He wants us to inhabit their ignorance, not ours. The children at Hailsham live in a protected environment. They know that they are different, but their guardians are cryptic about this difference. Gradually, through tiny leaks on the part of these guardians, the children gather a burgeoningly complete picture of their fate. By the time they leave school, they know the essential facts. So what might it mean to learn,

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as a child, that one will never bear children, or hold a meaningful job, or sail into adulthood? How will these children interpret the implications of their abbreviation, the meaning of their mutilated scripts?

Much of the success of the book has to do with the way Ishiguro renders the normality, even tedium, of the world of Hailsham, and then inserts into it icy slivers of menace. Hailsham is like any other school, and if the children feel different, then they are merely like the privileged students of any happy, self-regarding private establishment. The first third of the book chronicles the squabbles and jockeying and jealousies of ordinary schoolchildren. Kathy is clearly in love with Tommy, who seems to be a troubled boy; but Tommy chooses Ruth, who is dismayingly mercurial in her feelings toward Kathy, supposedly her closest friend. There is much rivalrous power play, of a kind familiar from books and films about school days, between Ruth and Kathy.

Kathy's pale narration represents a calculated risk on Ishiguro's part, since it means that his novel is almost entirely written in what Nabokov once called "weak blond prose." Kathy's diction is relaxed into colloquialism and cliché. A teacher "loses her marbles"; a rainy day is "bucketing down"; students about to get into trouble are "for it"; students who have sex are "doing it." She is fond of the supremely English word "daft," and uses woolly intensifiers—"I don't know how it was where you were, but at Hailsham the guardians were really strict about smoking." Ishiguro has always enjoyed ventriloquizing English voices: the upholstered butler in *The Remains of the Day*; the narrator of *The Unconsoled* who sounds like those hysterically calm captions on Glen Baxter cartoons; the narrator of *When We Were Orphans*, whose fiddly, precise English resembles a parody of Anthony Powell. Kathy's voice is like an expository writing paper by a not very bright freshman; it pushes to new extremes Ishiguro's interest in the studied husbanding of affect:

> We were in Room 5 on the ground floor at the back of the house, waiting for a class to start. Room 5 was the smallest room, and especially on a winter morning like that one, when the big radiators came on and steamed up the windows, it would get really stuffy. Maybe I'm exaggerating it, but my memory is that for a whole class to fit into that room, students literally had to pile on top of each other.

But Kathy is somewhat anxiously ingratiating, and her habit of addressing the reader as if the reader were the same as her—"I don't know how it was where you were, but at Hailsham . . . "—has a fragile pathos to it. She wants to be one of us, and in some way she assumes she is. The very dullness of these children, their lack of rebelliousness, even incuriousness, is what grounds the book's fantasy. They seem never to want to run away from their school, to throw over the commanded lives they must eventually lead. Full comprehension of who they are and why they were created makes them sad, but only resignedly so. This is the only reality they have ever known, and they are indeed creatures of habit. Ishiguro shakes this banality every so often, as the terribleness of what has been done emerges. For example, the


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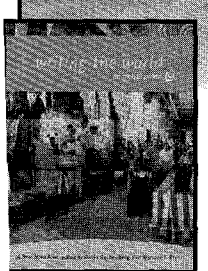

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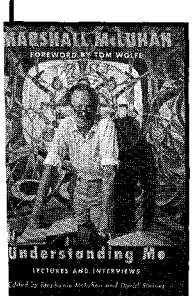


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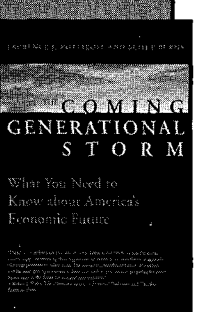


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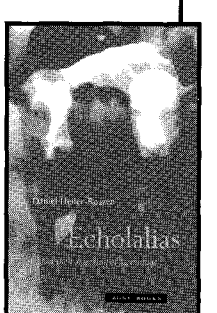


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children's artworks are collected every month by a woman known only as Madame, and taken out of the school to a gallery. (We later learn that this is an attempt to see if the children have souls.) Ruth senses that Madame is frightened by the children, even repelled, and they decide to test their surmise one day by rushing her as a group and watching her response. They are right:

> I can still see it now, the shudder she seemed to be suppressing, the real dread that one of us would accidentally brush against her. And though we just kept on walking, we all felt it; it was like we'd walked from the sun right into chilly shade. Ruth had been right: Madame *was* afraid of us. But she was afraid of us in the same way someone might be afraid of spiders. We hadn't been ready for that. It had never occurred to us to wonder how *we* would feel, being seen like that, being the spiders.

Kathy goes on to say that the "first time you glimpse yourself through the eyes of a person like that, it's a cold moment. It's like walking past a mirror you've walked past every day of your life, and suddenly it shows you something else, something troubling and strange."

In another episode, which lends the book its title, Kathy remembers becoming obsessed with a song called "Never Let Me Go." She would play this song again and again:

> I just waited for that bit that went: "Baby, baby, never let me go . . ." And what I'd imagined was a woman who'd been told she couldn't have babies, who'd really, really wanted them all her life. Then there's a sort of miracle and she has a baby, and she holds this baby very close to her and walks around singing: "Baby, never let me go . . ." partly because she's so happy, but also because she's so afraid something will happen, that the baby will get ill or be taken away from her. Even at the time, I realised this couldn't be right, that this interpretation didn't fit with the rest of the lyrics. But that wasn't an issue with me.

This is an acute rendition of how any young girl might misread the lyrics of a song; and it is shadowed, of course, by the actual facts of this girl's life. One day, Kathy is dancing to herself, holding a pillow in her arms and crooning along to the song, "Oh baby, *baby*, never let me go." She looks up and in the doorway Madame is watching her: "And the odd thing was she was crying . . . she just went on standing out there, sobbing and sobbing. . . ."

KATHY, TOMMY, AND RUTH eventually leave Hailsham and are billeted at a place called The Cottages, where they have much more freedom, and join a group of older teenagers. But it is a freedom they barely exercise. They borrow a car and drive through Norfolk. On one such outing, to the coastal town of Cromer, friends of the trio are sure that they have seen what they call "a possible" for Ruth:

> Since each of us was copied at some point from a normal person, there must be, for each of us, somewhere out there, a model getting on with his or her life. This meant, at least in theory, you'd be able to find the person you were modelled from. That's why, when you were out there yourself—in the towns, shopping centres, transport cafés—you kept an eye out for "possibles"—the people who might have been the models for you and your friends.

The friends follow the woman whom they consider Ruth's possible, or original. But the longer they watch her, the less like Ruth she seems, and the excitement of the surveillance fizzles. Only then does it become apparent that Ruth is terribly disappointed. She bursts out, bitterly:

> "They don't ever, ever, use people like that woman. . . . We all know it. We're modelled from trash. Junkies, prostitutes, winos, tramps. Convicts, maybe, just so long as they aren't psychos. That's what we come from. . . . A woman like that? Come on. . . . If you want to look for possibles, if you want to do it properly, then you look in the gutter. You look in rubbish bins. Look down the toilet, that's where you'll find where we all come from."

The entire episode testifies to what is strangely successful in this book: the way it rubs its science fictional narrative from the rib of the real, making it breathe with horrid plausibility, and then the way it converts that science fiction back into the human, managing to be at once sinister and ordinarily affecting.

Ruth and Tommy break up, and Kathy becomes a carer and Tommy a donor, and Kathy takes Ruth's place as Tommy's lover, as she had to, and the novel's title begins to vibrate with premonition, for we know that Tommy has made three donations, and is thus only one operation away from death. The novel is weakened by a didactic ending, in which the spirit of Wells or Huxley bests the spirit of Borges. Kathy and Tommy manage to track down a former guardian, Miss Emily, and Madame, and these now-aged ladies apologize to the cloned couple for what they have done to them, and attempt to exonerate themselves by claiming that they always had the best interests of the children at heart. Madame admits to Kathy that when she saw, all those years ago, the little girl crooning to the song, she cried because she saw "a new world coming rapidly. More scientific, efficient, yes. More cures for the old sicknesses. Very good. But a harsh, cruel world. And I saw a little girl, her eyes tightly closed, holding to her breast the old kind world, one that she knew in her heart could not remain, and she was holding it and pleading, never to let her go."

THE NOVEL HARDLY NEEDED this preaching, partly because it has already so effectively dramatized the horror of what has been brought about; and partly because of course the cloning of human beings hardly needs denunciation. The book wobbles into treatise here, and doubtless commends itself to the President's Council on Bioethics, whose chairman handed out to colleagues a copy of Hawthorne's story "The Birthmark," in which an arrogant scientist attempts to rid his wife of what he sees as a disfiguring birthmark, and in doing so kills her.

But *Never Let Me Go*, while certainly a dramatized attack on cloning, could probably not give much final consolation to those who talk about protecting "a culture of life." For it is most powerful when most allegorical, and its allegorical power has to do with its picture of ordinary human life as in fact a culture of death. That is to say, Ishiguro's book is at its best when, by asking us to consider the futility of cloned lives, it forces us to consider the futility of our own. This is the moment at which Kathy's appeal to

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us—"I don't know how it was where you were, but at Hailsham ..."—becomes double-edged. For what if we are more like Tommy and Kathy than we at first imagined? The cloned children are being educated at school for lives of perfect pointlessness, pointless because they will die before they can grasp their adulthood. Everything they do is dipped in futility, because the great pool of death awaits them. They possess individuality, and seem to enjoy it (they fall in love, they have sex, they read George Eliot), but that individuality is a mirage, a parody of liberty. Their lives have been written in advance, they are prevented and followed, in the words of *The Book of Common Prayer*. Their freedom is a tiny hemmed thing, their lives a vast stitch-up.

We begin the novel horrified by their difference from us and end it thoughtful about their similarity to us. After all, heredity writes a great deal of our destiny for us; and death soon enough makes us orphans, even if we were fortunate enough, unlike the children of Hailsham, not to start life in such deprivation. Without a belief in God, without metaphysical pattern and leaning, why should our lives not indeed be sentences of a kind, death sentences? Even with God? Well, God hath numbered thy kingdom and finished it: the writing may well be on the wall anyway. To be assured of death at twenty-five or so, as the Hailsham children are, seems to rob life of all its savor and purpose. But why do we persist in the idea that to be assured of death at seventy or eighty or ninety returns to life all its savor and purpose? Why is sheer longevity, if it most certainly ends in the same way as sheer brevity, accorded meaning, while sheer brevity is thought to lack it? The culture of life is not such a grand thing when seen through these narrow windows.

Ishiguro's novel has no need to be didactic about cloning, because it is allegorical about it instead. At its best, the book is seamlessly allegorical, generating meaning without strain. It is here that it becomes reminiscent of Kafka (a clear influence on *The Unconsoled*), and Beckett, whose Hamm, in *Endgame*, yells: "Use your head, can't you, use your head, you're on earth, there's no cure for that," an earth that Tess, in Hardy's novel, calls a blighted star, and which Hardy again calls blighted in his poem "When Dead":

> This fleeting life-brief blight
> Will have gone past
> When I resume my old and right
> Place in the Vast.

So this curious, surprisingly suggestive and tender novel forces us, finally, to send Kathy's apparently naïve appeal back to her, in a spirit of horrified allegiance: "I don't know how it was where you were, but here in this fleeting life...." ■

# *Ruth Franklin*
# Surgings

**The History of Love**
**By Nicole Krauss**
***(W. W. Norton, 252 pp., $23.95)***

If the seven deadly sins were reconsidered for the postmodern age, vanity would be replaced by sentimentality. The most mocked of emotions, relegated to Hallmark cards and embroidered pillows, sentimentality is one of the distinctive elements of kitsch. But as with the other sins of excess, the line between the permissible and the scandalous resists easy definition. As Maugham put it, "Sentimentality is only sentiment that rubs you up the wrong way."

With the exception of puppy dogs and little children, love is the most sentimental of subjects, and sentimentality is the pitfall that all great love stories must overcome. Gatsby gazing at the green light at the end of Daisy's dock, or Emma Bovary succumbing with Rodolphe, or the young Kitty in *Anna Karenina*: all are sentimental characters who, by novel's end, must somehow be disabused of that emotion, unsentimentalized, often just before death. Were they not, the radiating heat of feeling would be too intense for the reader to tolerate; and so the retreat to the harshness of the real world comes, for the reader at least, as a mental relief. Lily Bart is one of the great exceptions: *The House of Mirth* sustains its emotional impact through its final devastating scene, but this is because there is otherwise not a sentimental moment in this relentless novel.

Literature has always taken profound emotion as one of its primary subjects, of course; and so it was inevitable that, after the ironic excitability of the 1990s, sentimentality would make a comeback in literary fiction. Dave Eggers, the former prince of millennial detachment, has brought *The Believer*'s why-can't-we-all-just-get-along approach to literary criticism into his own fiction, publishing a novel and then a book of short stories that abandon the David Foster Wallace–inspired gimmickry of his memoir for a greater interest in character and feeling, in which the distinction between empathy and sympathy has been erased. The once steely Ian McEwan, mastermind of some of the coolest plots to emerge from the freezer of contemporary British fiction, ends his latest novel with a scene in which the poem "Dover Beach" has the magical power to avert a violent crime. (*And Now You Can Go*, Vendela Vida's novel of two years ago, enacted a similar idea, but in the ironic mode; the narrator, much to her surprise, disarms her mugger by reciting Philip Larkin.) These books share not only a faith (an ironist would describe it as "touching") in such truisms as "love will always find a way" or "the pen is mightier than the sword," but also a confidence in their own emotional power that allows them to pursue such outmoded ideas beyond the polite conventions of a less passionate literature. These authors may know when to stop, but they keep on pushing anyway, with mixed success.

As a corrective to the excesses of irony, the excesses of sentimentality may be greeted with some relief. McEwan was brave to go for it, to play it straight, even if his novel's climax beggars belief. For these books do at least display an unembarrassed earnestness, a willingness to consider the world seriously and uncorrosively, a loss of interest in cynicism or nihilism or cheap attitudes of alienation and revolt; and all this was certainly lacking in the hip literature of irony. Not least for this reason, Nicole Krauss's unwaveringly sentimental new novel should be welcomed. But senti-

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mentality can also be a sweet instrument of evasion, a shield that the writer uses to deflect strong pain or, more generally, strong feeling; and this, I think, is a problem for *The History of Love*.

The plot of the novel centers around a book itself titled "The History of Love" that charts the passion of its author, the mysterious Zvi Litvinoff, for a woman named Alma, and which has the power to change the life of anyone who encounters it. "The oldest emotion in the world may be that of being moved," runs one passage in Litvinoff's book,

> but to describe it—just to name it—must have been like trying to catch something invisible.... Even now, all possible feelings do not yet exist. There are still those that lie beyond our capacity and our imagination. From time to time, when a piece of music no one has ever written, or a painting no one has ever painted, or something else impossible to predict, fathom, or yet describe takes place, a new feeling enters the world. And then, for the millionth time in the history of feeling, the heart surges, and absorbs the impact.

"The heart surges"—could there be a better description of a person in the throes of sentiment? Here, then, is another test for the sentimental novel: whether the reader's heart expands to absorb its impact, or contracts in dismay at all the decadent excess. Being moved may be the oldest emotion in the world, but the great writers make it new every time.

KRAUSS'S NOVEL BEGINS WITH Leo Gursky, an elderly man preoccupied with the fear of death, the movements of his bowels, and the other exigencies of old age. Gursky's voice is crotchety, his attitude utterly unsentimental, but his story overflows with pathos. He is a Holocaust survivor who lives alone; his wallet contains a card that reads, "MY NAME IS LEO GURSKY I HAVE NO FAMILY PLEASE CALL PINELAWN CEMETERY I HAVE A PLOT THERE IN THE JEWISH PART THANK YOU FOR YOUR CONSIDERATION." His only companion is a friend named Bruno who lives upstairs and may or may not be imaginary. He leads an existence so lonely that he goes to embarrassing lengths to be noticed, buying a drink from the corner deli even if he is not thirsty and then dropping all his change on the floor, or going to the shoe store to try on the latest hip sneaker although he has no intention of buying it. "All I want is not to die on a day when I went unseen," he pleads. He even takes the unlikely step of volunteering as a nude model for an art class: "It seemed too good to be true. To have so much looked at. By so many."

Gursky may be discomfitingly foolish, but he is given to idiosyncratic bursts of poetry. Regarding his former profession as a locksmith, he comments that "I helped those in who were locked out, others I helped keep out what couldn't be let in." And so it is not entirely a surprise to learn that he was once a writer; and recently, fifty-seven years after he stopped, he began again. He is working on a manuscript of the story of his life, which is defined by a lost love:

> Once upon a time there was a boy who loved a girl, and her laughter was a question he wanted to spend his whole life answering. When they were ten he asked her to marry him. When they were eleven he kissed her for the first time. When they were thirteen they got into a fight and for three weeks they didn't talk. When they were fifteen she showed him the scar on her left breast. Their love was a secret they told no one. He promised her he would never love another girl as long as he lived. *What if I die?* she asked. *Even then*, he said.

As it happens, she did not die; but Gursky kept his promise anyway. The girl he loved left their hometown in 1941, as the Germans advanced, and as the *Einsatzgruppen* came east he hid in the forest. "When I got up," he writes, "I'd shed the only part of me that had ever thought that I'd find words for even the smallest bit of life." Eventually he made his way to America, but when he found his girlfriend, she was married. His only consolation was to learn that she left Poland pregnant with their son Isaac. Gursky will never meet him, but he follows his son throughout his life, watching with pride and envy as he becomes an award-winning novelist. Once he works up the courage to approach Isaac at a book-signing, only to discover later that Isaac misspelled his name in the inscription. But now he decides to take a dramatic step: he boxes up the manuscript he has been writing and sends it off to his son in a final effort at contact.

Gursky's narrative is interwoven with the story of another solitary: Alma Singer, a teenage girl whose parents named her after the woman in Zvi Litvinoff's *The History of Love*, which her father became enchanted with as a young man and gave to her mother as a courtship present. He died of cancer when Alma was seven, and her mother, a literary translator, has refused all but a few of the dates Alma has tried to set up for her. "She's kept her love for him as alive as the first summer they met," Alma says. "In order to do this, she's turned life away. Sometimes she subsists for days on water and air." But Alma is encouraged when a letter arrives from a man who wants to commission, at extravagant expense, a translation of *The History of Love*. "Maybe if I tell you only that a very long time ago someone once read to me as I was falling asleep a few pages from a book called *The History of Love*, and that all these years I haven't forgotten that night, or those pages, you'd understand," he writes. Needless to say, Alma's mother accepts, and Alma sets out to discover the mystery man's identity and win him for her mother. In doing so, she finds herself also investigating the history of Zvi Litvinoff, a refugee from Kraków who ended his life in Valparaiso, Chile, and about whom little is known other than the facts that can be gleaned from his wife Rosa's introduction to his great work.

THE DANGER OF CENTERING A book on a fictional masterpiece is that at some point a few pages of the masterpiece must be produced. Some of the excerpts from *The History of Love* are just silly, such as a story about a boy, believing that he is made of glass and will break if touched, stuffs a cushion in his pants, where its discovery ruins a romantic moment. But others are deeply moving. One chapter, called "The Age of Silence," imagines a time when humans communicated only with gestures, describing the subtlety of the language and the enormous potential for misunderstanding: "There were times when a finger might have been lifted to scratch a nose, and if casual eye contact was made with one's lover just then, the lover might accidentally take it to be the gesture, not at all dissimilar, for *Now I realize I was wrong to love you.*" It concludes: "If at large gatherings or parties,

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or around people with whom you feel distant, your hands sometimes hang awkwardly at the ends of your arms—if you find yourself at a loss for what to do with them, overcome with sadness that comes when you recognize the foreignness of your own body—it's because your hands remember a time when the division between mind and body, brain and heart, what's inside and what's outside, was so much *less*."

But somehow it is easier to accept this kind of earnest, anachronistic, Borgesian parable from the pen of a Polish refugee in 1950s Valparaiso than from the computer of a Brooklynite in the year 2005. And the trouble with Krauss's novel is that a great deal of it relies on the same neatly wrapped fables, the same disingenuous, aphoristic tone, as Zvi Litvinoff's volume. Consider this story that Gursky tells, purportedly from one of his son's collections, about an angel who lives on the Lower East Side, "not far from me, just across Delancey.

> He's lived there for so long he can't remember why God put him on earth. Every night the angel talks aloud to God, and every day he waits for some word from Him. To pass the time, he walks through the city. In the beginning he's in the habit of marveling at everything. He starts a collection of pebbles. Teaches himself difficult math. And yet. With each day that passes he's blinded a little less by the beauty of the world.... The more sadness he sees, the more his heart begins to turn against God. He starts to roam the streets at night, stopping for anyone who looks like they need an ear. The things he hears—it's too much. He can't understand it. When he asks God why He's made him so useless, the angel's voice cracks trying to hold back angry tears. Eventually he stops talking to God altogether. One night he meets a man under a bridge. They share the vodka the man has in a brown bag. And because the angel is drunk and lonely and angry with God, and because, without his even knowing it, he feels the urge, familiar among humans, to confide in someone, he tells the man the truth: that he's an angel. The man doesn't believe him, but the angel insists. The man asks him to prove it, and so the angel lifts his shirt despite the cold and shows the man the perfect circle on his chest, which is the mark of an


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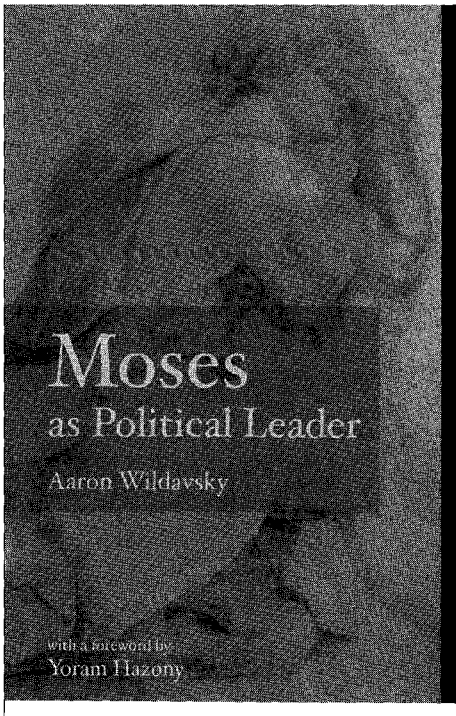


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> angel. But this means nothing to the man, who doesn't know from the mark of angels, so he says, *Show me something God can do*, and the angel, naïve like all angels, points to the man. And because the man thinks he's lying, he punches the angel in the stomach, sending him tottering backwards off the pier and plunging into the dark river. Where he drowns, because one thing about angels is that they can't swim.

There is something irresistible about this story, but also something trite: the meeting between the angel and the bum; the "perfect circle" that marks the angel; the assertion that man, even in his dreariest form, is the miraculous work of God. Its disingenuousness feels like a cop-out, a shortcut around the religious sentiment that is trying to be expressed. It is so whimsical in its depiction of man's misery—so mistakenly sweet—that it cannot be taken seriously. This is a fault not only of the parable, but also of the voice of Gursky (who is retelling Isaac's story), which dominates the novel but is never entirely believable. For a man whose life involved such devastation, he is suspiciously blithe about it all. His caprices are finally too cute, and jar the reader out of submission to the character. (The Alma sections of the novel do not have this problem; everything about this character, from her tentative relationship with a Russian pen pal to her complaints about her brother, feels utterly real.)

Krauss's enormous skill as a writer is enough to make one accept, and admire, some of the novel's more ambitious moments: the sequence describing Litvinoff's life in Chile, his relationship with his wife, and the genesis of *The History of Love* is captivating. But at other points the pathos stifles. Consider Alma's description of her mother's love for her father:

> Once Uncle Julian told me how the sculptor and painter Alberto Giacometti said that sometimes just to paint a head you have to give up the whole figure. To paint a leaf, you have to sacrifice the whole landscape. It might seem like you're limiting yourself at first, but after a while you realize that having a quarter-of-an-inch of something you have a better chance of holding on to a certain feeling of the universe than if you pretended to be doing the whole sky.
>
> My mother did not choose a leaf or a head. She chose my father, and to hold on to a certain feeling, she sacrificed the world.

The implication of the story about Giacometti is perfectly obvious without the last two sentences, and the passage would be more effective without them. But Krauss, like all sentimentalists, is unable to stop there. She refuses to hold anything back, to allow the reader to do the necessary imaginative work of connecting the pieces without unnecessary interference.

The ending of a sentimental novel always feels programmatically determined, and the reader cannot help but feel the author's hand intruding here as well, with the unintentional effect of weakening the much-anticipated epiphany. Krauss marshals all the loose pieces of her story into order with an efficiency reminiscent of Wilkie Collins, and with a similar reliance on the deus ex machina and other miraculous instruments of limited plausibility. This push toward a resolution, intended to build suspense, actually defuses it, since we have already been supplied with so many hints of the grand emotional payoff to come. When the promised epiphany erupts, the result feels not unlike a cushion stuffed in the pants. ■

# *Deborah Friedell*
# The Vortex

**LITTLE WOMEN**
**LITTLE MEN**
**JO'S BOYS**
**By Louisa May Alcott**
**Edited by Elaine Showalter**
***(Library of America, 1,092 pp., $40)***

*LITTLE WOMEN* WAS ONCE THE great novel of female artistic ambition, with Jo March forever in her attic room, whirling in her "vortex," wearing her "scribbling suit," her cap askew, "writing away at her novel with all her heart and soul, for till that was finished she could find no peace." For bookish girls, among them Simone de Beauvoir and Gertrude Stein, Jo was a model of ambition and accomplishment, of undaunted female spirit, when few others existed. To the contemporary reader, Jo rather resembles Sylvia Plath—also a Massachusetts girl who attempted a writer's life in New York—except that she is friendly and sane.

Jo and her company have finally been inducted into the Library of America. Although the literary merits of Alcott's novels may be dubious—she herself regarded most of them as merely "moral pap for the young"—the *Little Women* trilogy remains one of the most loved series in the history of children's literature. The adoration that the books have inspired from readers is, in fact, the principal claim for their canonization. Alcott's novels reside in the artistic category of relics that have been of such enormous influence that the question of their quality seems almost beside the point. *Little Women* created in the minds of generations of women, writers among them, what a happy girlhood looks like. It imagined for its readers how untroubled relationships between parents and children might function, and how one's vocation might prosper alongside romantic love and adult responsibilities.

Yet what we think of as *Little Women* is actually a peculiar divergence from its original, a heteroclite of narrative. I read the novel in childhood at least twice, but still I had come to believe that *Little Women* ended altogether ringingly, with the simultaneous acceptance of Jo's novel for publication and her acceptance of Professor Bhaer's marriage proposal—just as it does in the three film versions with Katharine Hepburn, June Allyson, and Winona Ryder, and on Broadway this season with Sutton Foster. "Here I go!" Foster belts. "And there's no turning back! My great adventure has begun! I may be small, but I've got giant plans: to shine as brightly as the sun!" She will become a famous novelist. Her sister Beth, on her deathbed, promises her that it will be so.

But on re-reading *Little Women* in the Library of America volume, I am surprised to find that I had neatly suppressed the novel's ending. Somehow I

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had managed to forget entirely that Jo, under the tutelage of Professor Bhaer, decides that she has no genius, that her stories are lurid ("they *are* trash, and will soon be worse than trash if I go on"), and then burns her manuscripts, "nearly setting the chimney afire with the blaze." On her deathbed, Beth entreats her sister to become a better daughter to their parents, a more womanly woman: "you'll be happier in doing that than writing splendid books." And "then and there Jo renounced her old ambition, pledged herself to a new and better one, acknowledging the poverty of other desires." She learns to cook and to keep house. She marries the professor, starts a school, has children. Years later, Jo wonders "if I'd missed my vocation and ought to have remained single; but my duty seemed to point this way, and I don't regret it," as she holds "a large and very ragged blue sock to her bosom." This is not exactly the woman's fate that has edified generations of Jo's readers.

IT IS NOT UNTIL THE THIRD NOVEL in the series, *Jo's Boys*, that Jo emerges in middle age, Quixote-like, famous for her preceding adventures: she is now the celebrated authoress of a book that resembles *Little Women*. Alcott seems prepared, finally, to allow Jo everything, perfection of the life and of the work. But as Beth had promised her, Jo finds success hollow: "she soon tired of renown, and began to resent her loss of liberty.... Jo came to consider it the worst scrape of her life." She retreats back into the comforts of married life because "her family objected to this devotion at their expense, and her health suffered." And she is surer than ever that she had made the right choice in her youth when she rejected literary spinsterhood.

The film versions of *Little Women* would have none of this. Although they hew faithfully to the novel's first half, they radically reshape its ending. In the 1994 film, after Gabriel Byrne, an absurdly good-looking Bhaer, gently questions the value of *The Weekly Volcano*, the sensationalist periodical where Jo's stories appear, Winona Ryder runs from him, angry and hurt. Byrne follows her to apologize: "I do not want to be your teacher. No, understand me. I am saying only that you should please yourself. My opinion is of no importance. Do you forgive me?" In the next scene, we see Bhaer bringing Jo food and flowers on a tray as she scribbles away, kissing her as she asks him if he knows the distinction between a dagger and a saber. Her writings are as lurid as ever, but no matter: he will be Leonard to her Virginia. He will never again question the excellence of her work.

In the strict moral universe in which Alcott has placed her Jo, this apology by Bhaer, entreating Jo to "please yourself," has no place. The novel's trajectory, modeled on *The Pilgrim's Progress*, exhibits, episode by episode, how Jo and her sisters learn to rise above all kinds of selfishness and pride, to disregard the self by pleasing others. The Bhaer of the novel would never tell Jo that his "opinion is of no importance." Quite the contrary: what attracts Jo to the professor in Alcott's book is that "he did not say to himself, 'It is none of my business; I've no right to say anything,' as many people would have done." Alcott's Jo wants a lover who will tell her what to do—a man whom she respects, whose judgment she trusts. But a family film of our day cannot accept a marriage that is not among equals, and so the film lowers the professor's age from forty to a less intimidating thirty-five, and has him refuse to be Jo's teacher.

It is not only the women's movement that has led readers to find something wanting in Jo's renunciation of her writing life. In George Cukor's film from 1933, with Katharine Hepburn as Jo and Paul Lukas as Bhaer, the professor is at first more critical of Jo's writing than in the 1994 version, but his harshness quickly turns to flattery. The professor is only dissatisfied with Jo's work because he thinks that she is capable of more:

> "Miss March, you have talent."
> "Do you really think so?"
> "Otherwise I could not say. And I say to you: sweep mud on the street first before you are false to that talent...."
> "Yes, I'll try. But I don't think that I'll ever be a Shakespeare, do you?"
> "But you can be a Josephine March. And I assure you that that is plenty."

Although there are few moments in *Little Women* that would seem to lend themselves so well to the screen as Jo's burning of her stories, there is no holocaust of manuscripts in this film or in any of the others. But perhaps only the most inexorable purist would object to Cukor's tinkering: Hepburn's Jo somehow feels more believable than the novel's Jo, who, after years of struggle, renounces her literary ambition just as she is finally achieving some success. An anonymous reviewer in *The Ladies' Repository*, writing about *Little Men* a few months after its publication in 1871, argued that "the Jo of 'Little Women' could not have grown up into this Jo if she had tried, which we don't believe she ever did.... Her life has suddenly grown common-place; she is a 'thin old woman,' with no aim in existence save to dandle [her son] Teddy." But after a childhood of poverty, however genteel, surely Jo—like Alcott—wouldn't stop writing just as her tales were beginning to support her family: " 'The Duke's Daughter' paid the butcher's bill, 'A Phantom Hand' put down a new carpet, and the 'Curse of the Coventrys' proved the blessing of the Marches in the way of groceries and gowns."

The frustration of some readers with Jo for giving up her career is aligned with the outrage that even more readers have felt about Jo's marrying Bhaer instead of Laurie, the beautiful, wealthy neighbor boy, whose proposal she rejects because, she says, he and she are "too much alike." On the publication of the second half of *Little Women* in 1869, Mrs. Henry

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Ward Beecher wrote in *The Mother at Home and Household Magazine* that "we have known one grave lady take Jo's refusal of Laurie more to heart than that young gentleman, for he got over it, and our friend has not ceased grumbling!" In Jo's rejection of Laurie, she turns away the man who has been most supportive of her craft in favor of the one who would have her put a stop to it.

The film-makers, naturally, felt it necessary to make some adjustments. To make *Little Women*'s ending seem less perverse, Laurie must become less attractive and Bhaer more so. Here is just one example, although each of the films contains moments of reversal like it. In the novel, one of the funniest scenes occurs when Laurie follows Jo to a newspaper office where she is submitting her stories for the first time. The newspaper shares a building with a dentist, and it takes Laurie some time to realize that Jo isn't having her teeth extracted. ("Did you have a bad time?" "Not very." "You got through quick." "Yes, thank goodness!" "Why did you go alone?" "Didn't want anyone to know.") When the truth is revealed, Laurie is delighted: " 'Hurrah for Miss March, the celebrated American authoress!' cried Laurie, throwing up his hat and catching it again.... 'Won't it be fun to see them in print; and shan't we feel proud of our authoress?' " But in the 1949 film, when Peter Lawford's Laurie realizes his error, he can only meet Jo's achievement with patronizing disdain: "Jo, I just don't understand you, cooping yourself up in the garret, missing a lot of fun with me, working, and for what? For one measly little dollar." And so Jo, played by June Allyson, turns instead to Professor Bhaer, who in this version becomes her literary agent, telling her in the film's final scene that he has a surprise for her: he had sent her manuscript to a "friend who is a publisher," and he presents her with a bound volume titled "My Beth: A novel." She then promptly accepts his marriage proposal.

READERS HAVE ALWAYS CONflated Jo with Louisa May Alcott, and since the novel is so intensely (albeit rosily) autobiographical, the movies' accommodations seem fair: if Alcott never abandoned her ambitions, neither then should Jo. Much of the cozy appeal of *Little Women* derives from the gratification of its worthy heroines: they get what they want. Motherly Meg is rewarded with her twins; Amy, obsessed with society airs, will have her glamorous husband and European tour. And Beth, too shy to go to school, who tells Jo that she never wanted to make any plans about what she would do when she grew up, will never have to grow up. Jo is not excluded from Alcott's system of rewards. In place of a writing career, she gives Jo what she came to view as the better prize: a husband and children.

Unlike the March girls, Alcott herself felt unsatisfied. In her journal, she wrote of her sister Anna, the model for Meg: "She is a happy woman! I sell *my* children and though they feed me, they don't love me as hers do." Alcott routinely worked fourteen-hour days, usually to exhaustion, sometimes writing two short stories a day. By the time she reached her early thirties, her parents and younger sister depended on her earnings. When Anna married, had children, and was widowed in quick succession, the care of the family fell to Louisa. And when Louisa's sister May, the model for Amy, died in childbirth, her daughter became Louisa's responsibility as well. "Twenty years ago I resolved to make the family independent if I could," she wrote in her journal. "At forty that is done. Debts all paid, even the outlawed ones, and we have enough to be comfortable. It has cost me my health, perhaps; but as I live, there is more for me to do, I suppose." She continued to write even though mercury poisoning, which she suffered during the Civil War when she bravely went south to work as a nurse, made her ill for the rest of her life, which she spent in chronic pain and addicted to morphine. But although she wished that she could stop writing—"Feel quite used up," she wrote in her journal—she would not stop working: "the family feels so panic-stricken and helpless when I break down, that I try to keep the mill going ... but am afraid to get into a vortex lest I fall ill."

In *Little Women*, Jo is spared such a burden by the timely demise of a wealthy aunt, who leaves her nieces all, and by Amy's marriage to Laurie, whose family's spectacular wealth (its origin is never made explicit) is more than sufficient to provide for the Marches forevermore. But Alcott had to make her own luck. Her family came from the class of "silent poor ... needy, but respectable, and forgotten because too proud to beg." Her father, Amos Bronson Alcott, called Bronson, was a philosopher, a confidante

## Coronado Poet

I am an old man who writes like the 40s.
My suntan is a period piece.
Young men then spent all day at the beach to avoid reality.
I stay upright.
Nothing makes me go down dusty roads to change my style.
I don't believe in love anymore, the foghorn blasted it out of me.
Jack Noble died of skin cancer, his life cooked out on the sand...
in his coffin waves will break.
Between his knees sandcastles fight back.
How many bathing suits did he wear out
in 70 years?

Among the valleys of the distant waves
we will eventually meet. Hi Jack, I'll say.
Well it won't matter who got the superior tan.
The orange sun will recognize us. It owes us.

It will be the sun from nineteen hundred and forty-forever.
O no cloud in the sky! O ocean full of fish hiding!
The sun seduced us before we could be virgins.

**LANDIS EVERSON**

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of Emerson and Thoreau, who encouraged his daughter's writing from the start. In *Little Men*, Professor Bhaer is endowed with Bronson's gentle theories on pedagogy, which Louisa made coherent and sympathetic; like Bronson, he is so loved by his students that he punishes truculent pupils by forcing them to strike him. But where angry parents forced Bronson's school to close after he accepted a black child, Bhaer's flourishes despite its inclusion of "a merry little quadroon, who could not be taken in elsewhere, but who was welcome to the 'Bhaer-garten,' though some people predicted that his admission would ruin the school." Even in fiction, Louisa could not stop providing for her family's counterparts: in *Jo's Boys*, she has Laurie's grandfather use his millions to endow "Laurence College," a rival to Harvard, of which Bhaer is promptly made president and Jo's father chaplain.

Bronson was certainly some kind of a great man, though *March*, Geraldine Brooks's new novel based on his life, implausibly presents him as "the most transcendent transcendentalist of them all." But he has been made a villain in the biographies of his daughter, particularly in Martha Saxton's, for his insistence upon his own greatness, his refusal to stoop to the labor that would support his family. By the account of Louisa's mother, the family moved house twenty times, always searching for a better prospect or a cheaper rent. On one of these moves, as Louisa later recalled in a Vivien Leigh–like tone, "I shook my fist at fate [saying,] 'I *will* do something by-and-by. Don't care what, teach, sew, act, write, anything to help the family; and I'll be rich and famous and happy before I die, see if I won't!' " And so she did teach and sew and act and write, and when writing began to pay the best she dropped her other pursuits. She thought of herself as a professional rather than an artist, and was usually willing to do to her manuscripts whatever her publishers asked of her. "Anything to suit customers," she once wrote in her journal, not entirely ironically, after detailing the cuts she had made to a story.

It was in this spirit that, a few months later, she began *Little Women*. "[My publisher] wants a girl's story, and I begin 'Little Women.' Marmee, Anna, and May all approve my plan. So I plod away, though I don't enjoy this sort of thing." And the next month: "Sent twelve chapters of 'L.W.' to Mr. N. He thought it dull; so do I." But when it came to Jo's marrying Laurie, Alcott was willing to be disagreeable. She wrote in her journal, "I *won't* marry Jo to Laurie to please any one." She had written Jo as a self-portrait, intending for her to become, as she wrote in a letter to a friend, a "literary spinster" like herself. But this, as Alcott and her publisher knew, would not do, and so Alcott planned for her heroine's nuptials.

Too many seem to have taken it as a given that Jo was thwarted from her ambition by the marketplace alone. Elaine Showalter, who edited this volume for Library of America, observes (in *Sister's Choice: Tradition and Change in American Women's Writing*) that by "modern feminist standards [Alcott's] capitulation to the dominant culture's image of feminine propriety is a serious flaw." But when, in *Little Women,* Jo ponders the life that feminist critics would have preferred her to have lived, Alcott gives it to us straight, having Jo predict what her life would be like if she does not marry: "A literary spinster, with a pen for a spouse, a family of stories for children, and twenty years hence a morsel of fame, perhaps; when, like poor Johnson, I'm old, and can't enjoy it—solitary, and can't share it." This was Alcott's appraisal of her own life. As she wrote in her journal in 1874, "When I had the youth I had no money; now I have the money I have no time; and when I get the time, if ever I do, I shall have no health to enjoy life." What the narration of *Little Women* has to say about spinsterhood is no more reassuring: "Don't laugh at the spinsters, dear girls, for often very tender, tragical romances are hidden away in the hearts that beat so quietly under the sober gowns."

Alcott would not have Jo suffer as she had. And so, toward the end of *Little Women*, Jo and her husband and their sons join Jo's sisters and their families to celebrate Marmee's sixtieth birthday. The March sisters sit at their mother's feet as they did when they were girls.

> "I don't think I ever ought to call myself 'Unlucky Jo' again, when my greatest wish has been so beautifully gratified," said Mrs. Bhaer, taking Teddy's little fist out of the milk pitcher, in which he was rapturously churning.
>
> "And yet your life is very different from the one you pictured so long ago. Do you remember our castles in the air?" asked Amy, smiling as she watched Laurie and John playing cricket with the boys....
>
> "Yes, I remember; but the life I wanted then seems selfish, lonely and cold to me now.... There's no need for me to say it, for every one can see that I'm far happier than I deserve," added Jo, glancing from her good husband to her chubby children, tumbling on the grass beside her. ■

## CORRESPONDENCE

*Continued from page 4*

edition? As the flagship publication of American liberalism, don't you owe it to your readers to exercise some discretion? I'm no prude when it comes to cursing with my peers in private, but the public sphere is something else. When one of my four preteen children asked why there was a "bad word" on the cover of a magazine I get delivered to the house, I had no reasonable answer for her, and I was nothing short of embarrassed. You should be, too.

**DAVID L. O'CONNOR**
***Brightwaters, New York***

LET ME GET THE OBLIGATORY "I AM not a prude" disclaimer out of the way up front so that I can ask: Was it really necessary to put the word "bullshit" on the cover? Unlike the text inside, the cover is often displayed in store windows and on low-hanging racks, where it can be easily seen by casual observers. And it's not just children; even in an age of "Deadwood" and other like-minded TV fare, there are still some adults who prefer not to have four-letter words tossed in their faces—at least, not when they least expect it. The fact that coarse language is more prevalent than ever is, if anything, a reason to hold back and not contribute to the ever-rising tide of bad taste.

**PAUL D. GALLAGHER**
***Severn, Maryland***

**THE EDITORS RESPOND:**
We yield to no one in our enthusiasm for family values; but, if we were being wicked, it was to make the point that all of American culture is not produced primarily for children. It is a little ridiculous for anybody to take offense at the sight of one of the most widely used words in American English. The word on our cover represented our membership in the reality-based community. ■

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## CAMBRIDGE DIARIST

# New Blood

WHEN YOU ARE RUSHED from your clinic to the hospital with mild chest pain, as I was recently, you should have more serious things to think about than the sociology of medicine or the costs of health care. But these immediately pressed themselves upon me. The young Chinese doctor who examined me said my profile (age, previous heart condition) required an ambulance, so, in no time at all, five or six young men in dark uniforms arrived and carried me on a pallet to one. Do ambulances require such large crews? They told me that Cambridge requires two ambulances to respond to certain calls (is one expected to break down?), and so two ambulance crews—and indeed, two ambulances—appeared in my clinic's driveway. Ah well, there are reasons why Cambridge has among the highest tax rates in Massachusetts.

BUT, MOST STRIKING ON ARRIVAL AT Massachusetts General, the distinguished teaching hospital across the Charles River, was the racial and ethnic array of doctors who saw me. First, there was a young Chinese woman in the emergency room. Then a young Iranian woman. Then another young woman, a cardiologist of indeterminate ethnicity. And then a Chinese man, the cardiologist in charge. I was already up to five. The number of doctors who examined me or who simply dropped in to look at me and ask a question during the next few days continued to rise. My attempt to count them all comes to 15—interns, fellows, cardiologists, urologists, and then angioplasty specialists, assisted by other specialists (are they doctors, too?) manning the monitors, cameras, and X-ray machines. All in all, an amazing performance, and, after six days of tests and procedures, I am assured I am better than before.

I COULDN'T HELP BUT NOTICE THE rough breakdown of the doctors who attended to me: half women, almost all young; half Asian, almost all young; and many—I assume from accents or conversation—immigrants. (The categories overlap.) Of course, I am aware that half of medical students are now women, and a very large proportion are Asian—Chinese and Indian—but, for some reason, I thought that, in an elite teaching hospital, one would see more of the older, established ethnic elements that have been prominent in medicine for generations. I wondered what has happened to the Jewish doctors? (Perhaps one or two of my 15 were Jewish.) I suspect the children of Jewish doctors are going into finance, new information-technology businesses, and filmmaking. My own distinguished cardiologist—Jewish—has moved into full-time research outside the hospital and has passed me on to a young Indian cardiologist for whom he has great regard. My impression is that the children of Indian doctors—and the parents of many Indian Harvard students are doctors—are going into medicine. Chinese and Korean students also show an overwhelming preference for medicine.

A FEW YEARS AGO, THERE WERE already more Indian doctors practicing in the United States than black doctors. Yet we hear so little about this, compared with the storm over outsourcing, for example, or the battle over visas for engineers and computer programmers. I suppose we think differently when it comes to doctors, and American-born doctors do not suffer from unemployment. But does this ethnic shift mean anything for medicine? In recent decades, the disproportionate percentage of Jewish doctors didn't seem to affect the practice, structure, or character of American health care. Should we expect any change from a disproportionate percentage of Asian and women doctors? Probably not. Perhaps when half of practitioners are women—an inevitability resulting from the increase in female medical students—this will change. Feminists have noted how professions dominated by women (e.g., teaching) lose prestige. This happened to medicine in the Soviet Union. Still, I don't think the fact that women now head major universities will make the position less prestigious.

THE NUMBER OF DOCTORS WAS EXceeded by the nurses and other staff: room-cleaners, waste-removers, menu-distributors, food-deliverers, blood-drawers. My count there goes to many more than 15; it seems the modern hospital can't imagine one person having more than one sharply defined function. (Perhaps unions play a role there.) Nurses assigned to specific patients don't draw blood—that is, I think, a lesser specialty—and my blood was drawn at least twice a day. Unsurprisingly, the cleaning people and meal-providers are black. My impression was that they are African Americans. The blood-drawers are also black. But my impression was that they are Caribbean and African immigrants.

AND FINALLY, THERE ARE THE MIDDLE ranks, the nurses. That is where one finds the white ethnics of Boston, Italian and Irish. One wonders what they think of an arrangement that places over them these young women, so often Asian, so often immigrants. I thought, too, of the EMTs—Boston natives—who have learned a few specialized skills and are proud of what they can do. But the EMTs are no doctors. It's a real-life reprise of *Good Will Hunting*: The locals clean the rooms at MIT and are happy to have the jobs, while the professors come from elsewhere, many from abroad. In how many countries does one have this arrangement of natives and newcomers?

ETHNIC STRATIFICATION IS AN OLD story. I recall sociologists describing the strata in the steel mills—the Slavs at the bottom, blacks even further below, the Irish in the middle, perhaps Germans and Scandinavians at the top of the skill hierarchy. Immigrants at the bottom is nothing new. What is happening in health care is more interesting. As doctors retire or limit their practice—dropping out in protest against the soaring insurance costs, paperwork, Medicare and Medicaid restrictions, et cetera—replacement by immigrants and the "overrepresented" minorities (the American Medical Association has a category called "underrepresented minorities") and women may be producing something of a quantum shift in medicine. Whether this is really a new story or just a twist on an old one, it continues to maintain our remarkable technical capacities, and our ability to do things that seem miraculous.

**NATHAN GLAZER**

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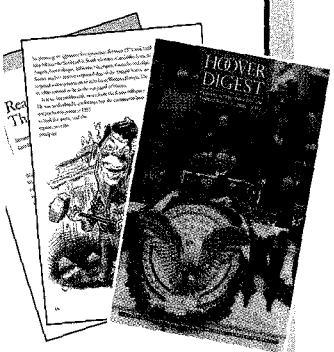
# Tough Times at the FDA

HOOVER DIGEST
RESEARCH AND OPINION ON PUBLIC POLICY

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Paid for by the Hoover Institution, Stanford University.

The Food and Drug Administration is being buffeted by a kind of perfect storm. First there were claims that the labeling of certain antidepressants failed to warn doctors that the drugs caused some adolescents to commit suicide. Then the agency was blindsided by contamination that made half the nation's flu vaccine supply unavailable. Thereafter came revelations about apparent side effects of several widely prescribed anti-inflammatory analgesic drugs.

Taking a candidate drug from discovery in the lab to the marketplace requires 12 to 15 years and more than $800 million in direct and indirect costs. On average, it involves more than 60 clinical trials with more than 4,000 patients, but even this extensive testing may not elicit all possible reactions to a new drug. Thus, regulators must always make decisions on the basis of data that are, in a sense, incomplete. Infrequent side effects, or adverse events, might not show up until hundreds of thousands, or even millions, of patients are exposed to the drug in normal use.

Drug companies must report adverse events and injuries caused by their products to the FDA, but they depend on practicing physicians to provide these data. Because doctors are unlikely to notice side effects that occur in only a small percentage of their patient populations and are under no legal obligation to communicate adverse events at all, underreporting is common.

**The "safety" of a drug is a relative thing.** Safety and efficacy, the two criteria required for marketing approval of a drug, are inextricably linked; regulators' judgments require a global and often difficult calculation of risk and benefit. We tolerate greater uncertainty and more severe side effects for a potential cure for pancreatic cancer or AIDS, for example, than for a drug for treating heartburn. When the FDA grants marketing approval for a given product, that drug is deemed to be safe and effective for the conditions on the label.

The efficient detection of side effects is essential, and the United States needs to improve *pharmacovigilance*—the monitoring of the safety of approved drugs. But the newly created FDA Drug Safety Oversight Board is not the answer. **Rather than more bureaucrats, we must have better data.**

We need to encourage physicians' reporting of adverse events (perhaps by rewarding them with the Continuing Medical Education credits they need to retain licensure), to contract with organizations that treat large patient populations to monitor and report adverse events, and to share data with foreign regulators. We might also consider some variation of the United Kingdom's "yellow card" system, in which doctors, dentists, and pharmacists report adverse events to federal regulators (on a small yellow card, of course).

But we will not get any of these improvements—or for that matter, desperately needed reforms to redress the FDA's chronic risk aversion and overregulation of drug testing—without strong leadership. Lester Crawford, the president's nominee for commissioner, hardly seems the person for the job, but let us hope he will rise to the occasion and provide it.

—Henry I. Miller

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*Henry I. Miller, M.D., is a research fellow at the Hoover Institution and the author of* The Frankenfood Myth: How Protest and Politics Threaten the Biotech Revolution, *selected by Barron's as one of the 25 Best Books of 2004.*

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